
THE
A P P E A L
OF
LIEUT. COLONEL CHARLES BARTON BURR, C. B.
OF THE BOMBAY INFANTRY ESTABLISHMENT,
TO
HIS EXCELLENCY THE MOST NOBLE
THE MARQUIS OF HASTINGS, K. G.
GOVERNOR GENERAL AND COMMANDER IN CHIEF OF BRITISH INDIA.

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THE MARQUIS OF HASTINGS, K. G.
GOVERNOR GENERAL AND COMMANDER IN CHIEF OF BRITISH INDIA,
AGAINST THE CONDUCT
OF BRIGADIER GENERAL LIONEL SMITH, C. B.
WITH THE
AUTOGRAPH REPLY AND DECISION
OF HIS EXCELLENCY THEREON;
AND A VARIETY OF OTHER DOCUMENTS SUBMITTED TO
THE MOST NOBLE MARQUIS,
ILLUSTRATIVE THEREOF.

WITH THE SUBSEQUENT CORRESPONDENCE
WITH THE
BOMBAY GOVERNMENT,
ON TRANSMITTING THE SAME FOR THE CONSIDERATION OF THE
HON. THE COURT OF DIRECTORS.

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INTRODUCTORY ADDRESS.

IN submitting the following Series of Official Documents and Correspondence to the highly respected friends and individuals, who do me the honour to give it their friendly notice and attention, I trust I may be excused for still further trespassing on their time with such remarks as have either been accidentally omitted, in the original Correspondence, or which, from their nature, might have appeared to me, at the time, more appropriately excluded from an Official Appeal, of a purely justificatory nature, to my most exalted professional Superior. In the present stage of the business, however, I trust that the same objections do not exist to my illustrating the circumstances and situation in which I was placed, by a few desultory observations, which, though I may perhaps have occasion to submit them in an unconnected train, will, nevertheless, I doubt not, be admitted as of importance, in filling up any deficiencies that may appear to exist in the mass of information contained in the Original Documents, which, though I felt deeply interested in rendering them as perfect as possible, for the reasons I have already stated, have

appeared to me as requiring, in justice to myself, these additional illustrations.

The first in order was the suggestion I had conceived it my duty to offer to Brig. Gen. Smith, while he was yet at Poonah, of the advantages that were likely to result from the reduction of Chakun, a strong little fort, about eighteen miles to the northward of Poonah, commanding the direct road from Serroor with the Ghauts, and a fertile and strong country on the verge of those districts, whence I apprehended efforts would be made to harass and disturb my position, if not to collect a force for its attack and recovery : it was, moreover, a position to which the natives themselves attached peculiar interest, as influencing their supplies and communications. In the state of agitation and dismay in which the Mahratta force was at that time,* there cannot be a doubt, had a portion of our army shewn itself before Chakun, it would have fallen immediately. No measure, however, was taken by the General to reduce it, till, on his return from Sungumnair, on the 2d of January, it fired a few shot on his advance, when orders were immediately dispatched to Colonel Boles, then on his march with the heavy Division,† to move towards it for that purpose. The messenger who took the order

* So great an alarm existed, that the garrison actually abandoned it a few weeks after, on which Lieut. Robertson, the Police Master at Poonah, hired some irregulars for its occupation ; I applied to Gen. Smith for his sanction to add to these a few invalid Sepoys ; but no notice was taken of my application, and the consequence was, that, on the Paishwa's return from Baumongong, the irregulars surrendered it to the enemy, who continued to hold it till I left Poonah.

† Then near Amednuggur, consequently seventy miles off at the time.

missed the Colonel, who, in consequence, reached Serroor without receiving it, and on his arrival there the indignation excited by the conduct of the garrison of Chakun having subsided, Colonel Boles's division was assigned a different duty, marching south across the Beema to Loonee ; Chakun being permitted a second time to become a nucleus for the enemy's parties, to assemble and shelter themselves, and straiten the supplies of the capital, which was thus surrounded on every quarter by the enemy's garrisons, till the end of February, when a different policy was adopted, and Poonadar, Singhur, Looaghun, Izeiapoor, and Chakun, positions of the enemy that commanded the approaches to the capital in every direction, were reduced by the divisions under General Pritzler and Lieut. Colonel Deacon. This may give some idea of the degree of consideration bestowed on the establishment, of the tranquillity of the capital at the time it was entrusted to me, and the subsequent *stability and depth of Brig. Gen. Smith's plans, which he has so ruthlessly asserted "I HAD RUINED."*

The next point is, the state of the old Palace, and the instructions received on that subject.

The Palace was a quadrangular building, with large towers at its angles, having one tower, and in the north face, two other towers, in its curtains, all of which, though well built, and in good repair, had no parapet, except on the *interior* side of the rampart, where it was built up around the interior revêtement, on and along which the roofs of various buildings within the Palace rested, and over all which an assailing enemy might fire. Moreover, as the scite

of this fort or building declined gradually to the river, the curtain on that side (the southern), which stood on the highest ground, was not above fifteen feet high, consequently nothing was easier than to ascend the rampart in that quarter, which having done, its assailants would be under cover of the parapet already mentioned, commanding the interior courts of the Palace, while every house to the southward and eastward, and many of those in the other quarter, commanded, and a few had even loop holes within pistol shot of the Palace. This however was the position on which the maintenance of our footing in the city depended ; yet General Smith would not allow of my strengthening it, *because it betrayed, in the first place, its defects ; in the next, our fears ; in the third place, if it afterwards was carried by the enemy, it would be more difficult to recover ;* reasons which decided him on leaving the position, with little or no improvements, but such as could be reconciled with the above principles. A professional reader may easily imagine what an enviable and tenable position such a place, in the heart of an hostile capital, must have been. When, however, the General published his Order of the 8th of January, being, it would appear, convinced of the possibility, not to say the great probability, of the Paishwa's endeavouring to repossess himself of his capital, *he sent his orders direct to Ensign Slight, the engineer officer under my immediate command, to commence directly building substantial masonry parapets round the Palace rampart, and do every thing in his power, in consultation with Lient. Robertson, Police Master (who was also to furnish him with the funds), for the strengthening of his position and the de-*

fence of the city, directing him to stockade and palisade the different streets and avenues, to construct portable chevaux-de-frize, to remove from one quarter of the city to another (doubtless expecting that the city would be attacked by the cavalry), and evincing, by every act in his power, his apprehension of its falling into the enemy's hands ; this too, at the very moment when he had not scrupled to report officially to the Commanding Officer of the armies in the field, for the Governor General's information, *that I had felt myself unnecessarily uneasy at the approach of the Páishwá's army, without reflecting that I had nothing to apprehend.* How a man of honour, holding his distinguished command, can reconcile himself to such conduct, I am at a loss to conjecture. *His Report of the 7th of January is in direct opposition to his acts, and official measures*, under date the ensuing day ; wherein he expressly directs, by his orders of the 8th, that I was not to interfere with Ensign Slight, who was solely responsible to him, and who immediately, in consequence, received the orders to which I have alluded. Yet, in his orders conveyed through his Secretary, Captain Hardcastle, under date the ensuing day (the 9th of January), he adds, “ You are directed to confine your attention solely to the defence of your position and the city ;” though, as I have already shown, by the previous day's Division Orders, he had specially interdicted me from giving any directions on the subject.

There is something so extraordinary in the whole of this conduct, that it is almost difficult to reconcile it with common sense, much less with any maxim or principle of a professional nature.

I had, however, been somewhat habituated to receive the most unjust, and unmerited rebukes, and private reprimands, on private and false information, which General Smith frequently not only listened to, but founded his official measures thereon, though I subsequently received his recantations in terms of equal force. He had on one occasion written to me, that “ *I had almost driven him mad,*” by ordering a convoy of 7000 bullocks, escorted by about 1100 horse and foot, *to take post at a large fortified village on the route, in consequence of information I received of Gokla, with his whole army, being close to them, and crossing their route*; conduct which the General pronounced *unwarrantable, and DESTRUCTION TO ALL HIS PLANS!* and that *I ought to have let them, “ having sent them off, take their chance !”* This unmerited reproof was, however, recalled by a letter, written, it is worthy of remark, at the very time, and bearing *the very same date, the 23d of December*, with that—am I not justified in terming it, artful and insidious?—letter, authorising me to call for the services of the 2d.-1st, which, he afterwards said, I had abused. His private letter to me on this occasion says, “ My dear Burr, “ —I am not only perfectly satisfied with the explanation you “ have given me, but sincerely thank you,” &c. The conduct, however, of the General, in reporting, on the 7th of January, that I had betrayed unnecessary fears *for the capital, which was in no danger*; in ordering the engineer officer, on the 8th, to be emancipated from his obedience to my authority, *and directing him to use every means of strengthening the place, in conjunction with another subaltern, the Police Master*; and, on the 9th, direct-

ing me to devote my whole attention to the defence of the city and my position, is so very extraordinary, that it is scarcely to be reconciled to any other principles than that he was, as he before said, *out of his senses*. Yet, at the very moment, when all this was happening, he was aware that *the division under my command was in the most critical state, from the efforts of treachery and seduction, which no pains were spared on the part of the enemy to mature ; incendiaries, bribes, and innumerable and splendid promises, were all employed to wean the brave and faithful troops under my command from their duty and our interests, to what might, doubtless, be supposed to have no trifling weight with them, their domestic and national ties of loyalty and affection*. The situation in which we were placed at the time may not unaptly be compared to a state of civil war, where both parties were bound to each other by ties of consanguinity. Yet in this distressing predicament, at a moment when I received the General's orders to post parties of Europeans, with loaded muskets, with the guns and tumbrils, whenever we might have occasion to engage, and to deliver them orders, in presence of the drivers, to shoot them on the spot, if they swerved in the least, General Smith could reconcile himself, in violation of every principle of discipline and feeling, to send orders direct to the different heads of departments, exclusive of the Order that he published to the whole army on the 8th of January, which had a natural tendency to excite them to acts of disrespectful insubordination, and neglect of their duty, teaching them to contemn and disobey my orders, and which he was no more warranted

in doing, than the officers, who acted under them were, in obeying them.

It is foreign to my purpose to enter into a detail here of the particular circumstances which occurred, or their particular effects; they were, however, such as might be expected, from the notoriety of my Commander's unmilitary conduct. One of the effects, however, might have proved of the most serious and fatal consequences, had I not given orders, in direct opposition to those of the officers at the head of the Department acting under General Smith's orders, whose conduct had hazarded the safety of our arsenal, hospital, treasury, and a great part of the city.

In this state of hostility and counteraction with my Commander, no professional man, I imagine, will blame me, or hesitate a moment in pronouncing, that it became my duty to resign a command, wherein I was subjected to such complicated insults and indignities. Even General Smith himself, independent of his satisfaction at the success of his conduct, in having driven me from the theatre of my glory, and the field that will long bear testimony to my devotion to the service, must commend the feelings he has so successfully goaded, as he must be conscious that he would not have scrupled to have evinced, by every act in his power, his further implacability, which would have been stimulated and invigorated by my continuance in command. He has, indeed, I have every reason to believe, done every thing he could, to prejudice the Most Noble Marquis, our great and exalted Superior, against my humble exer-

tions in the public cause ; with what success, it would ill behove me to offer an opinion, as His Excellency's autograph letter, which he did me the distinguished honour of addressing to me, and which forms one of the accompaniments, speaks for itself.

It would have afforded me the most heartfelt pleasure to have been permitted to reply to General Smith's subsequent invective against me to his Lordship ; that I have not had the opportunity will be evident by a reference to my Second Letter to the Adjutant General, which request, to be permitted to reply to General Smith's observations was not acceded to. I must therefore confine myself to the bare assertion, that I feel the utmost confidence, that there is not a circumstance, or a calumnious insinuation, that may have been incorporated therein, that I should not have been able to refute as fully as the ungenerous and *unfounded* assertions contained in General Smith's Despatch of the 7th of January, which has been already published, and in its secret and confidential precursor, which has not ; but which, it is evident, by the concluding lines of the public Despatch of the 7th, had contained statements which even he found it necessary to correct and contradict. This is not the first or only instance that could be adduced of the precipitancy and inaccuracy of General Smith's official reports, even on occasions where ample time was previously afforded for reflexion ; and where the natural consequences of his inveteracy were self-evident. With such a commander, but little confidence can exist, and but little regret occur, beyond that of professional feeling, at being no longer associated on the same professional theatre ; as where a commander can stoop to

deteriorate the mite of merit of those under his command, detracting from the humble portion of commendation to which they may have established a fair pretension and claim, and even strive to lower and deteriorate their professional merit in the eyes of their Supreme Commander, but little reciprocal confidence can exist, or hope of receiving the just tribute of individual exertions, wherever the concession thereof would pluck a sprig from the Commander's wreath.

I shall now conclude, by soliciting a moment's attention to the circumstance of there having been at Poonah, almost ever since my departure, a much stronger force, now that the Decan is considered in a state of peace, than ever was there during the time of my command, in the most active and alarming periods of the war; there having been at one time, an European regiment, a regiment of cavalry, and four battalions of sepoys at that station; notwithstanding which, we have very lately had occasion to make some awful* examples of its inhabitants, who even now, in a state of profound tranquillity, have not scrupled to conspire for the destruction of our government, and the annihilation of every European in the place. If such is the case at this moment, what had I not to apprehend, when their sovereign,

* A Brahmin, a goldsmith, and a Mahratta having been within these few days blown away from guns for their treasonable practices; and several others arrested. At the time I commanded, I had occasion to execute a Mahratta, one of the police establishment, for the same crime, and had several people, *one, an ex-minister of the Paishwa*, in confinement, with orders from General Smith for their execution, which I did not carry into effect, for reasons which I reported to him.

at the head of thirty-thousand of his choicest troops, menaced the instant destruction of my force, and the annihilation and ruin of every inhabitant and individual, that did not espouse his cause?

Bombay, March 24th, 1819.

C. B. BURR,
Lieut. Colonel.

THE
A P P E A L
OF LIEUT. COL. CHARLES BARTON BURR.

To Captain H. TOVEY, Dep. Adj. Gen. to the Division of the
Army in the Deccan.

SIR,

Camp, Kirkee, November 6th, 1817.

MY Letter of yesterday's date would have informed you of my having removed the whole of the stores, treasure, and provisions from our late cantonment to the village of Kirkee, and of their being lodged in security therein, and of the brigade being in a state of preparation to move out as circumstances might require. I have now the honor to report for the information of the general officer commanding this force, that soon after I had dispatched it, I received an intimation from the Resident, of the probability of an immediate rupture with the Paishwa, followed by a requisition to move out and attack the Mahratta force which was then visible, and advancing to the attack of our camp.

I, in consequence, formed the brigade, leaving the head quarters of the 2d-6th regiment, who were previously weakened by several strong detachments, in charge of the post of Kirkee, together with the drill, sick, and unfits, and two iron twelve pounders, under the command of Major Roome, and advanced to meet the enemy, a party of whose horse hovered near the column, and preceded our march.

Having chosen a situation in advance of our position at the distance of one mile, we formed line, awaiting the junction of the Dapooree Battalion under the command of Major Ford, with three field pieces. At this period I was joined by the Resident, who most gallantly exerted himself throughout the day, in setting a distinguished example of zeal and animation to the troops, encouraging the men whenever it became necessary, and by his suggestions and information aiding my judgment in the execution of the measures it became necessary to adopt.

On the approach of Major Ford's division, and being reinforced by the Resident's escort, and troops which had been stationed at the Sungum, under the command of Major Cleeland, who handsomely offered his services to me, I ordered the line to advance, which we continued doing for near half a mile. The Mahratta army, which was drawn up with its left resting on the height in front of Gunnes Cundy, where a large body of the Vinchore Rajah's horse was posted, extended its right to the Mootah river, in which direction the principal masses of their cavalry were formed, the total amount of which is supposed to have been about 15,000, the intermediate undulating plain being

occupied by a long line of cavalry and guns, supported by successive lines of horse, as far as the eye could reach ; who seeing us advance, moved forward from their position, and at the very moment we were unlimbering for action, commenced a brisk cannonade from their centre, while the masses of cavalry on both their flanks endeavoured to turn ours, and succeeded in getting in our rear. The action now became very interesting. A body of Gokla's regular infantry made an attack in solid column on the 1st-7th regiment which was on the left of the line, and who had scarcely succeeded in repelling it, and a number of horse, when a select body of the enemy's cavalry, seeing their infantry repulsed, and pressed by the battalion, who could with difficulty be restrained from pursuing them, made a determined charge on the corps, some of the men wheeling round the flanks, and repeating their attacks from the rear. The bravery of the men however compensated for the disorder into which they had been thrown by the previous attacks, and enabled them, under circumstances of great difficulty, with the powerful co-operation derived from the left brigade of guns, and a part of the Bombay regiment, to beat off the assailants, who left many men and horses on the ground, withdrawing to a distance, and never after hazarding a repetition of their attack.

By this time Major Ford with his troops and field pieces from Dapooree had joined us, and formed line on our right, when we again immediately advanced near half a mile, the left of the line being thrown back to check any attack of the enemy's, who were in great force between them and the river, while the light com-

panies of the 7th, which had at first preceded the line, were sent to the rear to keep in check a large body of horse, who had watched Major Ford's movement to our support, and who now came down in rear of our right flank.

Soon after the enemy withdrew the greater part of his force to a distance, retiring and drawing off his guns towards the city, as we advanced, and the greater part of his infantry, computed at 8000, part of which had been posted in advance of his guns, and centre, in the bed of a nullah, and two walled gardens, extending along the front of our position, now sent out their skirmishers, which, with others on the right of the line, and rockets from both front and rear, continued to occasion us a few casualties. The light infantry of the line, however, under the command of Captain Preston, easily drove them off, and it being near dark, I submitted to the Resident, as the enemy were evidently in full retreat, the expediency of withdrawing the troops to camp, as soon as it was dark, having fortunately succeeded in our principal objects, meeting and driving the enemy from their position, and occupying the ground they had originally taken up; this was accordingly done, and the whole returned to camp soon after 8 o'clock.

I am happy to say the casualties during the action have been less than could have been expected, the greater part have however fallen on the 1st-7th regiment. Only one European officer (Lieut. Falconar of the 2d-1st) is amongst the wounded. Accompanying I have the honor to forward a return of the number.

I have not yet heard a correct statement of the loss the enemy suffered. I should imagine it could not be less than three or four hundred killed and wounded ; native reports make it amount to treble that number ; amongst the latter, are said to be the Minister,* and some officers of distinction.

A more pleasing duty now arrests my attention, the tendering that tribute of grateful acknowledgment due to the exertions of the gallant force I had the honour to command, and of those individuals to whose official rank and situation I feel so much indebted for their cheerful support and devotion to promote the success of the day.

The Bombay and Dapooree artillery under the command of Captain Thew, and Lieut. Laurie, rendered the most important services, and the spirited manner in which the guns were served greatly contributed to the rapid success of the day. The detachment of His Majesty's 65th regiment, and Bombay European regiment, commanded by Major Wilson, and Lieut. Coleman, honorably maintained, by their cool and steady conduct, the long established reputation of those valuable corps, and the zealous officers who commanded, while Captains Medford, Donnelly, and Whitehill, at the head of their respective battalions, were anxious to afford to their deserving corps an honorable example, which was nobly emulated by the Resident's escort, commanded by Major Cleeland.

To my Major of Brigade, Captain Halifax, to my Quarter Master of Brigade, Lieut. Innerarity, Lieut. Ellis, Bazar Master,

* Moraba Dixit : he died of his wounds a few hours after.

and the other officers composing the Brigade Staff, I am extremely obliged for their exertions, during the whole of the action. Lieut. Grant of the Grenadier Battalion, attached to the Residency, most handsomely volunteered his services to communicate my orders, and particularly distinguished himself during the action. Captain Gordon, and Lieut. Dunsterville, were also cheerful assistants on the occasion ; the latter does not belong to the division of the force.

To Major Ford, and the officers and men of his fine brigade, I feel the greatest obligation, for the cheerfulness and anxiety they evinced to contribute to the general success of the day, while it afforded me much pleasure to witness the anxious and humane attention of Doctor Meek, and the medical gentlemen, to the important duties devolving on them at this interesting moment.

On my return to camp, finding Lieut. Col. Osborne had arrived, I delivered over charge of the brigade under my command to him, having solicited his permission to express my acknowledgment in Orders to the gallant force I had the distinguished honor of commanding on an occasion of such peculiar interest.

I have the honor to be,

SIR,

your very obedient servant,

C. B. BURR,

Lieut. Colonel.

Camp near Poonah, 5th November, 1817.

BRIGADE AFTER ORDERS.

By Lieut. Colonel BURR.

THE Commanding Officer feels peculiar pride and pleasure in returning his sincere acknowledgments to the troops he had the honor to command in the action of this day, for their distinguished bravery and exertions.

The artillery by their animated and well directed fire, rendered the most important services.

The cool and steady conduct of the Europeans under the command of Major Wilson particularly attracted his attention, while the native corps, under their respective commanding officers, zealously upheld the long established reputation of the Bombay Native Infantry.

To Major Ford and the officers of his fine brigade, Lieut. Colonel Burr begs leave to return his best thanks for their cheerful and anxious co-operation, which proved so conducive to the ultimate success of the day.

To the officers of the brigade staff, and those gentlemen who did him the favour to volunteer their services as his personal staff, he feels himself particularly obliged.

The commanding officer will have much pleasure in bringing to the notice of the general officer commanding the force, the

meritorious conduct of the troops on an occasion of such peculiar interest, the recollection of which will ever constitute an object of his utmost pride and gratification.

Extra drams to be issued to the Europeans immediately. Lieut. Colonel Osborne having joined the brigade, all reports and returns to be made to him accordingly.

LIEUT. COL. C. B. BURR.

Return of the Killed, Wounded, and Missing of the Poonah Brigade, under the Command of Lieut. Colonel C. B. Burr, in the Action with the Paishwa's Army, at Poonah, on the 5th November, 1817.

	Killed.								Wounded.								Missing.								Total.											
	Lieutenants.	Subadars.	Jemadars.	Havildars.	Naigues.	Fifers.	Drummers.	Privates.	Beasties.	Lieutenants.	Subadars.	Jemadars.	Havildars.	Naigues.	Fifers.	Drummers.	Privates.	Beasties.	Lieutenants.	Subadars.	Jemadars.	Havildars.	Naigues.	Fifers.	Drummers.	Privates.	Beasties.	Lieutenants.	Subadars.	Jemadars.	Havildars.	Naigues.	Fifers.	Drummers.	Privates.	Beasties.
Artillery.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Detach. H. M. 65th. Reg.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Bombay European Reg.	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
2d. Battalion 1st. Reg. N. I.	—	—	—	—	—	—	2	—	—	—	1	—	1	1	—	—	4	1	—	—	—	—	—	—	—	—	—	1	—	1	1	—	6	1	—	
2d. Battalion 6th. Reg. N. I.	—	—	—	—	—	—	—	6	—	—	—	—	1	—	—	—	8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	14	—	
1st. Battalion 7th. Reg. N. I.	—	—	—	1	1	1	—	6	—	—	—	—	1	4	—	—	1	39	—	—	—	—	—	—	—	—	—	—	—	—	2	5	1	1	15	—
Major Ford's Battalion.	—	—	—	—	—	—	1	—	—	—	1	—	—	—	—	—	6	1	—	—	—	—	—	—	—	—	—	—	—	1	—	—	7	1	—	
Grand Total.....	—	—	—	1	1	1	16	—	—	1	—	1	2	6	—	1	58	2	—	—	—	—	—	—	—	—	—	1	—	1	3	7	1	1	72	2

(Signed) C. B. BURR.

Lieutenant Colonel.

HEAD QUARTERS: Bombay, Wednesday, 28th January, 1818.

By the Right Hon. the GOVERNOR in Council.

Bombay Castle, 22d January, 1818.

THE Right Hon. the Governor in Council has the highest gratification in publishing to the Army the General Orders of Lieut. General Sir Thomas Hislop, Bart. Commander in Chief of the army of the Deccan, on occasion of the attack made on the 5th of November last, by the troops of His Highness the Paishwa, on the Bombay Brigade, stationed at Poonah under the command of Lieut. Colonel Burr, and the subsequent defeat of the Paishwa's army on the 16th of that month, followed up by the capture of the city of Poonah, by the 4th division under the personal command of Brig. General Smith, C. B. in the performance of which gallant and important services, the troops of this Presidency had a most distinguished share.

The Governor in Council refrains from any expression of his own commendation on occasions where military science and conduct, exemplary gallantry, valour, and determined devotion, united with signal forbearance and excellent discipline, have drawn forth the warmest acknowledgments and the highest commendation of so distinguished a Commander. The Governor in Council congratulates the Bombay Army on the honor attained

on these memorable occasions, and while he feels the firmest confidence that the loyalty and discipline of every corps requires only opportunity to reap the same honours, he derives a heart-felt pleasure in pointing out to their emulation the splendid achievements of their comrades.

Head Quarters of the Army of the Deccan,
Camp at Gunny, 14th December, 1817.

GENERAL ORDERS.*

By the Commander in Chief.

THE Commander in Chief has received from Brigadier General Smith, C. B. commanding the 4th division of the army of the Deccan, the detailed accounts of an attack made on the 5th ultimo, by the troops of His Highness the Paishwa, upon the Bombay Brigade, stationed at Poonah, under the command of Lieut. Colonel Burr, and of the subsequent defeat on the 16th

* This Order of His Excellency Sir T. Hislop had been previously received and published by General Smith, on the 7th or 8th of January.

ultimo of the Paishwa's army, with the capture of the city of Poonah, by the 4th division, under the personal command of the Brigadier General.

His Excellency would neither do justice to his own feelings, nor to the merits of the troops employed on this occasion, were he not to express to the Army at large, his high sense of admiration of the wisdom of the plans, and the gallantry and valour displayed in their execution, which have led to results so important and decisive, and His Excellency embraces this opportunity of offering to Brig. General Smith his warmest thanks for the manner in which his march was conducted from Serroor to Poonah, under circumstances of no ordinary difficulty, encreased as it was, by the total absence of regular cavalry : and the decision and promptitude with which his attack of the enemy's lines was planned and executed, and their dispersion and overthrow effected, by a perseverance and determined courage, which have never been surpassed.

The Commander in Chief notices in this place, with equal satisfaction and commendation, the exemplary behaviour of the auxiliary horse, under the command of Captain Spiller, to whom His Excellency desires to offer his best thanks for his gallant, spirited, and successful charges against such superior numbers of the enemy's cavalry.

The passage of the river, by the two divisions under the Brig. General and Lieut. Colonel Milnes, is worthy of particular notice, and His Excellency has great pleasure in recording his high sense of the gallant and able manner in which that measure

was effected, particularly by the division under Lieut. Colonel Milnes, to which the most determined opposition was given by the greater part of the enemy's artillery and infantry.

The conduct of the Brig. General in providing for the safety and protection of the city and inhabitants after the victory, is entitled to, and has the high praise and approbation of the Commander in Chief; and the signal forbearance and excellent discipline shewn by the troops on an occasion so trying, and under circumstances of peculiar aggravation and cruelty, reflect a lustre upon their character, which must ever be remembered with sentiments of the highest respect and gratitude, and His Excellency most heartily participates in the feelings which the Brig. General and his gallant army must have enjoyed at the moment they planted the British colours on the Paishwa's palace, in the heart of his capital, which owed to their discipline, subordination, and forbearance, its preservation from plunder and destruction.

His Excellency requests that Lieut. Colonel Burr will accept of his warmest acknowledgments for the exemplary gallantry, and determined devotion with which the sudden and perfidious attack of his small force, by the whole of the Paishwa's army, on the 5th ultimo, was so resolutely opposed, and successfully repulsed.

The dispositions made by the Lieut. Colonel, on that occasion, reflect the highest credit upon his military character, and the success of his operations against a force so very superior in numbers, is a convincing proof (if such were required), that

coolness and discipline will always be found irresistible, opposed to any numerical superiority, if deficient in those essential qualifications.

The conduct of the 1st bat. 7th reg. Bombay N. I. upon this memorable occasion, demands the particular notice of the Commander in Chief, and although His Excellency feels it difficult to distinguish, where all have acted so admirably well, yet the peculiar situation in which this gallant corps was placed, pressed by severe and repeated attacks of the enemy, both horse and foot, all of which were successfully resisted, entitles this battalion to His Excellency's especial notice, and the Commander in Chief desires that the expression of his highest approbation may accordingly be communicated to the 1st bat. 7th reg. Bombay N. I.

The conduct of Captain Ford and the brigade under his command, is also entitled to the Commander in Chief's cordial approbation.

The Commander in Chief desires that Brig. Gen. Smith will express to the Staff, the Artillery, His Majesty's 65th regiment, the Bombay European regiment, and the whole of the Native troops, his highest approbation of their conduct, which his Excellency will not fail to report in the flattering terms of praise it so justly merits, to His Excellency the Most Noble the Governor General; and the Commander in Chief directs, that it be particularly explained to the Native troops, that their courage and discipline will be no less the theme of his favourable notice to that high authority, than their unshaken loyalty, and incorrup-

tible fidelity, amidst the most artful and active attempts to seduce them from their allegiance.

(Signed)

T. H. S. CONWAY.

Bombay Castle, 27th Jan. 1818.

Adjt. General of the Army.

Lieutenant Colonel D. LEIGHTON, Adjutant General of the
Army, Bombay.

SIR,

I do myself the honor of transmitting you an accompaniment to His Excellency the Commander in Chief, giving cover to an Address to the Most Noble the Governor General, founded on circumstances which having happened while serving under the Commander in Chief of a different Presidency, and been reported for the information of His Excellency the most Noble the Commander in Chief and Governor General in India, will, I trust, be deemed by His Excellency Sir Miles Nightingall, a sufficient apology for my soliciting his permission on the present occasion to address myself direct to that supreme and exalted

authority, to whom I have had the misfortune of being thus unfortunately misrepresented.

I have the honor to be,

SIR,

Your very obedient servant,

(Signed) C. B. BURR.

Surat, 16th June, 1818.

Lieut. Colonel.

His Excellency, Lieut. General Sir MILES NIGHTINGALL,
K. C. B. Commander in Chief, &c. &c. &c. Bombay.

SIR,

IT is with peculiar satisfaction I find myself at length enabled to submit to your Excellency, a statement of the circumstances attending the measures for which Brigadier General Smith has reflected on my conduct in his Despatch to His Excellency the Commander in Chief of the army in the Deccan, on the 7th of January last: to which statement I most respectfully beg leave to entreat your Excellency's indulgent attention, though unfortunately in doing so, I am conscious I trespass largely on your time. It is however a subject of some professional interest, which I trust will plead in extenuation of my extreme prolixity, and should nothing appear to you improper therein, as being uncon-

needed with my justification, may I beg your Excellency will have the goodness to forward it on to the most Noble the Governor General and Commander in Chief in India ; to whom I feel peculiarly anxious to submit this defence of my conduct, for an act dictated by the most considerate attention to the important interests at that time confided to my charge, and the most earnest solicitude to acquit myself to my immediate Commander, Brigadier General Smith, of the duties he had done me the honor to assign me ; in my humble attempts to discharge which, I have been unfortunately held up to my most exalted Superiors, and the public at large, as a blundering, thoughtless blockhead ; an idea which silently submitted to, cannot fail of blighting every future professional hope which the beneficence of an omnipotent Providence has given birth to.

I have the honor to remain,
with the greatest respect,
your Excellency's
most obedient humble servant,
(Signed) C. B. BURR.
Lieut. Colonel.

Surat, 16th June, 1818.

SIR,

Head Quarters, Surat, 1st July, 1818.

By desire of the Commanding Officer of the Province, I have the honor to transmit, for your information and guidance, the annexed copy of a Letter received yesterday, from the Adjutant General of the army, dated 26th ultimo; and to return the Memorial addressed by you to the Most Noble the Commander in Chief in India, with accompaniments, in order that the same may be forwarded in triplicate, through the prescribed channel, as directed in the Adjutant General's communication on this subject.

I have the honor to be,

SIR,

your most obedient servant,

(Signed)

J. W. AITCHISON,

Prov. Major of Brigade.

To Lieutenant Colonel C. B. BURR,

&c. &c. &c.

Surat.

(No. 519.)

SIR,

Bombay, 26th June, 1818.

HAVING received the inclosed Letters and Memorial direct from Lieutenant Colonel Burr, and submitted them to His Excellency the Commander in Chief, I am instructed by him to transmit them to you, for the purpose of being returned to that

officer, in order that they may be forwarded, through the prescribed channel, to Head Quarters.

You will be pleased to inform Lieutenant Colonel Burr, that, as the Memorial was not forwarded while he was serving in the Deccan, and as he seems to reflect on the professional conduct of Brigadier General Smith, under whose immediate command he was employed, in some parts of his Statement ; it appears to His Excellency an indispensable act of common justice, that Brigadier General Smith should be furnished with a copy of the Memorial, in order that he may be fully apprised of its contents ; after which, His Excellency will lay the Memorial before the Right Honourable the Governor in Council, for transmission to the Supreme Government, for the information of the Most Noble the Commander in Chief in India.

The Memorial to be transmitted in triplicate by Lieutenant Colonel Burr.

I have the honor to be,

SIR,

your most obedient servant,

(Signed) D. LEIGHTON.

Adj. Gen. of the Army.

To Major Gen. H. P. Laurence,
Commanding Province of Guzerat,
Surat.

(True Copy.)

(Signed) J. W. AITCHISON,
Prov. Major of Brigade.

To the Provincial Brigade Major to the Troops serving in
Guzerat, Surat.

SIR,

I do myself the honor of transmitting you in triplicate, the Letter to the Most Noble the Governor General, and Commander in Chief, which you returned to me on the 1st instant, for that purpose and transmission, through the Commanding Officer of the Province, and have the honor to remain,

SIR,

your very obedient humble servant,

(Signed) C. B. BURR,
Lieut. Colonel.

Lieutenant Colonel LEIGHTON, Adjutant General of the Army,
Bombay.

SIR,

IN doing myself the honor of conforming to the directions conveyed in your Letter to the General Officer commanding the Province, under date the 26th ultimo, with the communication of which I was favoured on the 1st, calling for two additional copies of my Letter to His Excellency the Most Noble the Governor General and Commander in Chief, and requiring that the whole

should be forwarded, through the Commanding Officer in the Province, I beg you will do me the favour to state to His Excellency Sir Miles Nightingall, that I should certainly, in the first instance, have done myself the honor of transmitting the original through Major General Laurence, had I not understood, from a communication I had with that officer, that the circumstance in question was of a nature he conceived I might forward my communication direct, which I accordingly availed myself of, and regret I did not advert to it in the original Letter I had the honor of addressing you.

Accompanying you will receive the Letter in triplicate, one being, you have given me to understand, for Brigadier General Smith. On this subject, do me the honor most respectfully to submit to His Excellency Sir Miles Nightingall, that however consistent it may appear, and doubtless on a general principle it must be admitted to be, affording every officer an opportunity of being acquainted with every thing affecting him, submitted for the consideration of our superiors, I cannot avoid considering Brigadier General Smith's conduct towards me, as having subjected him to the forfeiture of whatever claim he might otherwise have been allowed to the communication in question; as not only in the present case, which has given birth to this Appeal, has he absolutely denied, or withheld from me, the least insight into the accusations he made against me; *which I am at this moment doubtful whether I know the extent of*; as from his private Letter to me of the 4th of January, he informed me it was his intention to accuse me of being, by my professional

misconduct, the author of what he at that time pronounced to be a most serious public misfortune ; which he, nevertheless, has never had the candour to afford me an opportunity of refuting—a circumstance alone, I conceive, sufficient to establish my position. *But when it is associated with other facts I have therein stated, wherein it will appear, that I have been judged, condemned, officially reprimanded by him, and public orders issued of the most humiliating nature to me, without being previously made acquainted even with the nature of the allegations against me, or called on, or afforded an opportunity of offering one word in justification of my conduct before judgment was passed, and the official acts, to my disparagement and humiliation, publicly recorded.* When His Excellency is informed that these are not the only instances where I have been severely censured by Brigadier General Smith, in some instances on private and erroneous information anterior to my being even acquainted of any blame being attached to my conduct, which in different cases I have had to justify, and received the recantation of the reprimands, after having been subjected to all the distress resulting from them, I trust that His Excellency will admit, that in the present case, *as I am merely replying in the character of a defendant to a serious professional charge, forwarded against me to the most exalted authority, that my accuser has no claim to animadvert on my reply previous to its being received by that authority, before whom my accusation has been for some months, though the nature of the charge contained therein has only recently transpired.* As my accompanying Appeal to the Most Noble Marquis is merely a defence of my

own conduct ; wherein if, in justice to myself, I have had occasion to state facts that were not before noticed, or place others in a light in which they have not been exhibited, as this may be regarded, strictly speaking, a mere variation in the statement of the subject that my accuser was the first to sketch and present in his own view ; however much my statement may place things in a new light, they carefully abstain from adverting to any thing unconnected with my justification ; whence I am led to infer, that it does not establish any right on the part of Brigadier General Smith to receive my reply to his accusation, which right, if recognised, will, I doubt not, be admitted by His Excellency, as establishing a corresponding claim on my part, to rejoin thereto, which, I should hope, His Excellency will not deny me, should he ultimately decide on communicating my statement to Brigadier General Smith, and that officer add any further reflections on my conduct to those he has already so ungenerously given birth to ; moreover, under these circumstances, I trust it will appear no more than just and reasonable to claim of Brigadier General Smith, a copy for my information, of any report or reports he may have made to superior authority, in any degree censuring or reflecting on my conduct.

I have the honor to remain,

SIR,

Your very obedient Servant,

(Signed)

C. B. BURR,

Lieutenant Colonel.

Surat, July, 1818.

SIR,

Head Quarters, Surat, 17th August, 1818.

I AM directed by Major General Laurence to transmit, for your information, the annexed copy of a Letter from the Chief Secretary to Government, to the address of His Excellency the Commander in Chief, intimating that your Memorial, under date 16th June last, has been duly forwarded to the Most Noble the Governor General and Commander in Chief in India.

I have the honor to be,

SIR,

Your most obedient servant,

(Signed) J. W. AITCHISON,
Prov. Major of Brigade.

To the Officer commanding
Southern Division of Guzerat,
Surat.

To His Excellency Lieut. Gen. Sir MILES NIGHTINGALL,
K. C. B. Commander in Chief.

SIR,

I AM directed by the Right Honorable the Governor in Council, to acknowledge the receipt of your Excellency's Letter of the 28th ultimo, and to acquaint you, that Lieutenant Colonel Burr's Letter to His Excellency the Most Noble the Governor

LIEUT. COL. C. B. BURR.

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General has been forwarded to his Lordship, and a copy transmitted, as suggested by you, to Brigadier General Smith, C. B.

I have the honor to be,

SIR,

your most obedient humble servant,

(Signed) F. WARDEN,
Chief Secretary.

Bombay Castle, 6th August, 1818.

(True Copy.)

(Signed) D. LEIGHTON,
Adjutant General of the Army.

(True Copy.)

(Signed) J. W. AITCHISON.
Prov. Major of Brigade.

To His Excellency General the Right Honorable the Most Noble Marquis of HASTINGS, K. G. Governor General and Commander in Chief of His Majesty's and the Honorable Company's Forces in India.

MY LORD,

THE Honorable the Vice President in Council at Calcutta having published in the Government Gazette of the 19th of April, the official Despatch of His Excellency the Commander in Chief of the army of the Deccan, under date the 23d of January, giving cover to Brigadier General Smith's report of the affair at Corygaum, bearing date the 7th of the same month ; I am at length enabled, after a lapse of five months painful suspense and anxiety, to submit to your Lordship, as the protector and guardian of my professional character and honor, such remarks in explanation and justification of my conduct on that occasion, as the severe and unmerited reflections which General Smith has therein thrown on my professional conduct and judgment, appear to me to merit and demand ; which will, I trust, plead in extenuation of my present intrusion on your Excellency's attention.

It would be a gratifying circumstance if, in so doing, I could limit my present trespass to a few brief remarks ; but notwithstanding the rule, I feel it my duty to prescribe myself, of citing mere facts, and documents, and adhering as closely as possible

to General Smith's own statement of the transaction, I am concerned to announce, that there are so many collateral circumstances that bear on, and illustrate the subject of discussion, and are so intimately connected with it, that I am afraid I shall unavoidably be under the painful necessity of intruding largely on your Lordship's valuable time; a reflection which however derives a solace, in the knowledge that it is a professional question of an interesting nature, consequently one which will be honored with your Excellency's most gracious attention; more particularly as it involves the military character and prospects of an officer, who has fortunately had the honor of being already brought to your Lordship's notice, under circumstances of too flattering and enviable a nature, not to excite a more than ordinary jealousy to preserve your good opinion.

In conformity to the rule already adverted to, I beg leave to submit in the first instance, a narrative associated with, and which has for its basis, General Smith's Report; commencing with his departure from Serroor, on the 22d of December, on which day the Paishwa having then gone off to the hilly and jungly country to the N. W. General Smith, for reasons therein stated, took the route of Amednuggur to the N. E. and reaching that place, which is thirty-one* miles from Serroor in three marches, proceeded on without halting by the Nimbadora pass, to Sungumnair, and the Wasserah Ghaut, the extreme point of his

* I suspect the measurement by General Smith's march route would give several miles more than this, and the following distances.

pursuit to the N. W.* distant from that of his departure eighty-seven miles, which he reached on the 29th of December, *being eight days after* his departure from Serroor, which is forty-one miles E. N. E. from Poonah, and consequently *one hundred and twenty-eight miles, and eleven days march* from the capital, at which I was left, without any orders or instructions for my guidance, occupying a fortified position, about three quarters of a mile east of the city, with a brigade of two thousand natives, about two hundred Europeans, artillery and infantry, and three hundred irregular horse; new levies composed of people, who a few weeks before had been in the Paishwa's service.

It was under these circumstances, that General Smith wrote to me, *an official, secret, and confidential letter on the 23d of December, from Aukulnair*, wherein he informs me, that conceiving it a probable consequence of his movement, that the Paishwa might descend into the Concan, I was, on ascertaining the certainty of such an event, to *detach* the 2d-6th regiment, rendering it as efficient as possible, to reinforce and co-operate with the detachment of Bombay troops in the Concan; and to apply to Lieutenant Colonel Fitzsimons, commanding at Serroor, to *replace* it at Poonah by the 2d-1st regiment, which was thus placed at my command; and in a subsequent paragraph of the same letter adds, “ It is possible, but less probable, if his Highness himself should descend, that he might, on re-entering “ them,† fly to one of the hill forts in your neighbourhood, and

* Vide additional remark to the Appendix.

† The districts in the Deccan are implied here, as the Concan is in the preceding line.

“ where his horse could not act. In this case, if practicable, the
 “ 2d-1st from Serroor shall immediately join you, to unite with
 “ such troops as you can possibly spare, in blockading him,
 “ until I can bring up my division.”

Affairs remained in this state till the 30th, nothing of any consequence intervening. General Smith had arrived at Nuggur on the 24th, passed the Nimbadora Ghaut the succeeding day ; from which date (or that of the 26th, I am not positive which) no accounts reached Poonah from his division, till the evening of the *2d of January*, when I had the honor of receiving a letter from the Honorable Mr. Elphinstone, dated the *28th of December*, near Sungumnair,* giving me the outline of the Paishwa's movement in their neighbourhood, *and even then expressing his doubt, whether his Highness would direct his course to the southward (or not)*. It is of little consequence transcribing this letter,† as it could have had no influence on my anterior measures, beyond confirming me in my ideas of the policy and prudence of that I had previously adopted, in applying for the 2d-1st, nor should I, under these circumstances, have even mentioned it, but that it was the only Letter I received from the army, from the date of General Smith's of the 23d, already adverted to, written on the march from Serroor to Nuggur, which reached me late in the afternoon of the 25th ; had it, however, been possible for Mr. Elphinstone's letter of the 28th to have reached me on the 30th of December, at any time previous to my dispatching my application to Colonel Fitzsimons for the 2d-1st, *it would only*

* Toorgon, near Akola.

† I have annexed it to the Appendix.

have proved an additional and most conclusive reason, in support of those that had already swayed me, in deciding to apply for the assistance of that Corps ; and here it may not be improper to add, that one of the last letters received from General Smith's force, after his passing the Nimbadora Ghaut, from an officer high in General Smith's and Mr. Elphinstone's confidence, to another who was honored with Mr. Elphinstone's, adverting to the probability of the Paishwa's return south, and approach to Poonah, which Letter was shown me ; expressed the sanguine hopes they confidently entertained, that I would not allow him to pass with impunity, but make an effort to follow and attack him.

Having thus shown the actual state of affairs on the morning of the 30th, the orders I had recently received for my conduct, and the expectations that were entertained on that subject at the General's Head Quarters in Camp ; it may not be improper, before proceeding further, to convey some idea of our situation at Poonah, the enemy's capital, which had never been cleared of his adherents, many more of whom had subsequently flocked in to see their families, as his Highness passed north, about a fortnight before, of whose views and conduct in a large open city, several miles, five at least, in circuit, it became impossible to make ourselves properly acquainted, exclusive of a number of private armed men, whom the more respectable or wealthy part of the inhabitants, and others, had retained in their service for the defence of their houses and property, previous to our possessing the city, and others, who the natives had been permitted to call in, as escorts to travellers or merchandize going through the

country. Under these circumstances, I had conceived it my duty to inform General Smith, which I had done in different Letters, of the impossibility of my defending the city in the event of the enemy's attacking it, and the necessity I should be under of limiting our efforts to that of the defence of our position, the old palace, near the N. W. angle of the city, where we had four hundred men on duty, and Rastia's house, a very capacious strong building, a kind of palace, on the skirts of the city, which I had, from an idea of its importance and utility, taken possession of and fortified, and in which I had ordered the treasure, principal magazine, superfluous stores, and hospital, and officers' families to be placed, with such additional details as appeared to me likely to insure the possession of that necessary post, with which I had opened a direct road through the cultivated ground that intervened between it and our camp ; the communication of which with the city might be considered as depending in a great degree on the possession of this place, which was intermediately situated for maintaining and supporting the position at the old palace, which formed a place of arms in the north-west, while Rastia's house answered the same object in the north-east quarter of the city, which was covered to the eastward, at the distance of a short mile, by the position the brigade under my command had been ordered to occupy, extending north and south, about one thousand yards along a low ridge of ground, the right or southern flank of which rested on a tank, defended by a battery, abbatis, and other field works, extending to a second tank, obliquely in the rear of that flank,

while the left was terminated by a ruinous house, that General Smith had ordered to be converted into a redoubt—a circumstance which alone shows that the brigade which had been left with me, was not deemed strong enough to maintain its ground, without having recourse to expedients that are seldom resorted to, but in cases of peculiar necessity; and which, notwithstanding every exertion on our part to complete, were still in an unfinished state; as, besides those already mentioned, it was indispensably necessary to establish a strong redoubt, which formed the key of our position, on the high ground parallel to, and within five hundred yards of our front and centre.

To defend these extensive positions, I have already stated General Smith had left me about 2200* regular, and 300 irregular troops; but fortune, which has so providentially, throughout, favoured the events wherein I have lately had the honor of being concerned, had brought to Poonah, two days previous thereto (the 28th), Lieutenant Colonel Cunningham, with 1700 irregular horse, some of whom, by far the best of the new levies, had been recruited by Captain Sydenham in the Nizam's districts; all of whom, by a singularly fortunate chance, came in virtue of a previous permission from General Smith to Colonel Cunningham to that effect, to be mustered and paid at Poonah.

* Detachments of the Bombay and Dapooree Artillery, nine companies of the 2d-6th; the 1st-7th, which had suffered on the 5th; a weak battalion of the Dapooree (late the Paishwa's) infantry, with two companies of the Bombay regiment; both battalions of Native Infantry had detachments out, who could not join in consequence of the war, as well as men on furlough, which considerably reduced their numbers, exclusive of 110 men on command at Carlee and Condallah, at the top of the Bhoze Ghaut.

Things were in this state when, on the forenoon of the 30th, the people I had sent in advance towards Junair, brought me information of the sudden return of the Paishwa, and that the advance of his army had arrived at Chakun, eighteen miles north of Poonah, from which and the adjoining country, in the course of the day, numerous reports succeeded each other, and wounded men, whom the enemy had pursued or permitted to escape, all confirming the report that the Paishwa himself was with his army, which was in great force ; and that the whole were in full march to repossess themselves of his capital,* of which it was said they were promised three days (Loot Mauff) plunder ; after which triumph, it was generally believed, the annihilation of the brigade under my command being considered the price of this concession, the Paishwa would open a negociation for peace, *proceeding in the mean time to some of the neighbouring hill forts, with which the position of Poonah is in a manner identified, some of them towering above, and looking down upon it ; all which had nevertheless been left in the undisturbed possession of the enemy* † when the General marched, and which were now expected to become an asylum to their prince,‡ while awaiting the result of the sanguinary

* Their plan was understood to be, after entering the city, to take post and establish themselves in the large houses and buildings belonging to their Sirdars, while their cavalry hovered around our position, and favoured an attack thereon from the city.

† Singhur or Senghur, the most proximate, being within a short march, had alone a garrison of near 2000 men, being little less than the total amount of my brigade. Poonadar, also a march off, had nearly as many more.

‡ An idea that was considerably strengthened by the belief that much of the treasure that had been removed from Poonah, after the action of the 5th, had been sent to Singhur. It was also the first object that would present itself in the route by which

attack that was meditated to regain his capital, which assumed, if possible, a more determined character, from the circumstance of the energy which Trimbuckjee Danglea, who had lately rejoined his master, had endeavoured to instil into his councils and measures ; and the recent domestic afflictions which had occurred in Gokla's family, whose only son had died but a few days before, and daughter-in-law, his widow, a young woman in the prime of youth and beauty, immolated herself on the funeral pile ; events, it was said, he had sworn to avenge. Under all these circumstances, I conceived it my duty to apply for the assistance of the 2d-1st, which I did about midnight of the 30th, by the following Letter, which was dispatched in duplicate to Serroor, and reached it the next day at one o'clock.

“ SIR,

“ *Poonah, 30th December, 1817.*

“ HIS Highness the Paishwa, by a variety and every account
“ I have received during the course of this day, appears to be in
“ full march to this city, I shall therefore detain Major Cun-
“ ningham's horse ; and it appearing to me that his near approach
“ being understood to be at this moment near Chakun, a place
“ about eighteen miles off, justifies my application to you for
“ the assistance of the second battalion 1st regiment, which
“ General Smith has authorised me, in his Letter from Ankul-
“ nair, of the 23d December, to make in certain cases, I beg

the Paishwa was expected to pass Poonah, which it was supposed would have been to the west of the town.

“ the favor of your granting me the aid of that corps, and any
 “ cavalry you can spare, if you conceive it possible they can
 “ come on to this place, which, I should suppose, if unincum-
 “ bered with baggage, they might be able to effect ; but as my
 “ object in making this application is connected with further
 “ orders, which I believe you are acquainted with, it is of the
 “ greatest consequence they should march with the utmost expe-
 “ dition, and as soon as it is practicable for them to do it with
 “ safety.

“ I have the honor to be,

“ SIR,

“ your most obedient servant,

(Signed)

“ C. B. BURR,

Lieut. Colonel.

To Lieut. Col. Fitzsimons,

“ commanding, Serroor.”

Independent of what I have already stated, I was decided in the adoption of this measure by the following considerations.

General Smith had placed the corps at my command under certain circumstances that *he had anticipated, having a reference in one instance to defensive, in another to offensive operations ; either way they were at my disposal ;* no reservation, proviso, or mention being made of his park or stores at Serroor, which it is fair to suppose he did not conceive to be in any danger,* as if he

* It always appeared to me the policy of the enemy, *not* to destroy Serroor, though an open cantonment, as so long as it was permitted to exist, it divided and consequently weakened our force, by tempting us to keep two battalions with details of

had, it is most natural to believe he would have taken them on with him to Amednuggur, a place of unquestionable security he had passed on his route, and circuitous pursuit of the Paishwa, in preference to leaving them in a place which might become liable to fall into the enemy's hands, of which he seems to have had no apprehension, though he appears to have foreseen from the very moment he left Serroor, it might be surrounded by the enemy's cavalry ; as he could never suppose the Paishwa, in descending into the Concan, a close, hilly, and very rocky country, intersected by rivers and inlets of the sea, would take his numerous cavalry, where they could neither act or get forage, nor did he suppose that in retiring to a hill fort they could have been of use ; for he expressly says, in his Letter of the 23d of December, that his (the Paishwa's) *horse could not act there*, to which he might have added, or subsist. It therefore accounts for the inference, the General appears to have drawn *in his Letter*, that by their being in the open country, it might not be easy, or even "*practicable*," for the 2d-1st to join me ; a word which evidently implies that the General adverted to *an enemy's being in force in the neighbourhood of Serroor*, which might render the intermediate communication difficult. *I cannot conceive he meant the neighbourhood of Poonah*, as most probably he would not have ordered me to leave it under such an impression. Hence I

artillery, irregular horse, and convalescent Europeans and Natives, for the defence of a place, which many were of opinion it would have been better to have abandoned at the very commencement of hostilities, as a post tending only to distract our attention, and increase our sollicitudes.

deduce, that the General *at that time*, conceived that the appearance of the enemy in the neighbourhood of Serroor, by no means exposed Poonah to the least danger, though in the subsequent application of this rule in his Letter of the 4th of January, he assumes quite a different basis. If, therefore, another case occurred, *not precisely what he had provided for* (and which I have alluded to in the commencement of this paragraph,) *but partaking of both*, and I had not availed myself of the services of the corps, it was natural to suppose the General might, and I sincerely believe *would have said*, “if under circumstances I foresaw, I placed the corps at your disposal, and *others occurred of a still more urgent nature, compounded of all I had anticipated, common sense dictated that my sanction extended to that also;*” and by not availing myself thereof, I should have been held, and have justly become, answerable for the result; which might possibly have been *the loss and destruction of the capital*, if not of my brigade also, which would have been imputed to my imbecility and want of common discernment.

Secondly, it was evident, to meet General Smith’s views, *I must actually have at the time, at my disposal*, what the being necessitated to wait for *would most effectually defeat* the object he had in view, *the taking immediate advantage of the Paishwa’s errors*. A reperusal of his Letter must have convinced the General that conformity to the first part of his instructions, in the event of his Highness *descending* the Ghauts, sending for the 2d-1st, would have brought that corps to Poonah, so that their joining me on his *re-entering* the Deccan, would have been out of the

question, as they would have been actually with me at the time ; my measure therefore went no further, than placing things in that state he had made arrangements would exist, at the moment of the Paishwa's supposed re-entrance of the Deccan, and approximation of my position ; thus putting myself in possession of the means of profiting thereby, *instead of losing the opportunity altogether, by not being prepared to carry the General's order into execution.*

Thirdly, I had no doubt that General Smith, the moment he obtained intelligence, *on which he could rely*, of the return of the Paishwa to the southward, would not lose a moment in following him ; but *when* or *where* that intelligence might reach him, or how he might be situated at the time, was *what it was impossible for me to know*, or the time it might take him to retrace his toilsome marches with cattle, the efficiency of which was considerably impaired, before they resumed the pursuit from Serroor, on the 22d of December ; but I did know, having seen that the Paishwa had twice doubled, and eluding the General's pursuit, gained the lead of him by several marches, I had myself been attacked by him only a few weeks before, in sight of the same spot I then occupied, at a time I commanded a much more numerous force, strengthened by a fine corps of European infantry, and far more efficient in every respect, being united in one body, and having less to defend or fight for, and though we had the glory of beating them off the field on that occasion, we saw him patiently, and boldly await the arrival of General Smith with the rest of his troops, for upwards of a week, and

during the four succeeding days of the junction of the two divisions of the army, hazard the chance of the various opportunities which presented themselves, while the rival armies lay within random shot firing* at each other ; nor did the movement made by General Smith on the night of the 14th, when he marched out of camp to attack his Highness's position, induce him to make any alteration therein : conduct, which when associated with his retreat on the 17th, carries with it a strong suspicion of his having been busily engaged in removing his treasure and property, of which we were told large hoards were still secreted in his different palaces, which *even the transient repossession of his capital for a few days, or even hours, might enable him to remove* what in the precipitation of his former flight he had not had an opportunity of previously carrying away.

To the above I may be permitted to state a further motive, the application itself bears testimony to my anxiety not to expose the reinforcement to any disaster by the requisition I made for its services. I have stated it was late at night, and the next day was expected to have been ushered in and devoted to an arduous conflict ; whatever might be the result thereof, their presence would be of the utmost importance—if victorious, it enabled me to follow up our triumph ; if unfortunate, it would probably prove the means of giving confidence to my division, and by restoring the fortune of the day, enabled us to maintain our ground. In whatever light therefore I viewed the question, it appeared to me indubitably desirable that we should be reinforced. The

* There was no firing the 13th.

Brigade which I had the distinguished honor to command on the 5th of November, had been reinforced the next morning by the light battalion, which the Honorable Mr. Elphinstone had called in, together with a few horse, at a time the enemy actually possessed his capital in great force, and lay encamped around it; when the Nagpore Rajah's treacherous conduct obliged the Resident* at that court to call for Major Pittman's corps to march to his assistance; in either and both cases, the importance of their services had been regarded as fully justifying the necessity of the applications, and the danger attending their junction in common with most other, I might almost say, *every other military movement, of the least interest or importance in the scale of operations*; why therefore, I should be held up to your Lordship and the public as an *inconsiderate, blundering blockhead*, because it happened that on the occasion of my application only, an encounter *which even General Smith has officially pronounced and reported to be a glorious triumph*, had unexpectedly taken place, is what I have never yet been able to attribute to any principle, that I am permitted to consider as having weight, on an occasion of so much public importance. Fortunately however, my professional character is not, I feel confident, *under your Lordship's guardianship*, to be blighted by such ungenerous and unfounded assertions, which had I felt less anxiety than I do to uphold my character in the opinion of

* Late accounts from the frontier of Berar mention the Resident at Nagpore having conceived it necessary to call upon Col. Adams's division to move to the protection of that capital, menaced by a movement of the *Paishwa's* towards that city.

exalted superiors, the army, my friends, and the public at large, *I might have relied with confidence for my justification, on the very document that was intended to asperse it*, which, as I have already stated, admits a lapse of, and intervention of four days having occurred, for the Paishwa's army to effect whatever object they had in view; but I was justified in supposing it would have been at least double, *if not treble that time*; in which I am borne out by the circumstance of Colonel Boles, who separated from General Smith at the Wasserah Ghaut, and retraced the General's original route, not having reached Serroor till the 7th* of January, *which fixes the period that it would have taken General Smith to have reached Poonah, at the 10th*, as it is not likely he could have effected the latter part of the march in less time than *when he first came for the same purpose, the relief of the Poonah Brigade*. Thus no less than *eleven days* would have been allowed the Paishwa for his operations against the city—which, had he repossessed himself of, General Smith could not have dislodged him from, in a less period of time, though therefore General Smith did, by an extraordinary effort, beyond what he had himself thought possible, or at all events prudent, to attempt, on going to the northward, save a great part of the distance he had before gone over, *this very effort and exertion of his is*, I most respectfully submit to your Lordship, *an unquestionable proof*, that General Smith, notwithstanding *he blames me for conceiving Poonah*

* It might have been the 8th, but I believe I am correct in stating the 7th. He had reached Serroor before General Smith left it, the evening of the 8th. If the latter day, it is still more in favour of my argument.

in danger, must have entertained the most serious apprehensions, amounting to a conviction thereof *himself*, or why attempt what he represented to have been fraught with such impediments and difficulties in the first instance—or why, having arrived in the neighbourhood of Poonah, and by the unexpected route he had taken, gained considerably on the Paishwa, *abate or suspend his pursuit, and at a time the Paishwa's army was ascending the Bhore Ghaut to the S. E. within an ordinary march of Corygaum, proceed north-easterly to Serroor, whence he did not again march till the 8th?*—This, I presume, could only be attributed, *First, to the imminent danger in which he conceived Poonah to have been ; Secondly, the necessity of making further arrangements regarding the stores he had unfortunately left at Serroor, to prevent the recurrence of those risks which they had so recently and fortunately escaped ; nor could this effort or anxiety have proceeded from, or been influenced by, any thing that had occurred during his absence, for it was not till he had reached Chakun, on his return towards Poonah, the twelfth of the thirteen marches mentioned in his Report, that he was aware of the events which had happened the preceding day at Corygaum, which he reached with a division of his army,* strong enough, doubtless, to have decided, by their presence, the fortune of the day, as a reinforcement to either of the divisions at Poonah or Serroor, but inadequate of themselves, as the result clearly indicated, to the pursuit of the Paishwa's numerous army, which, just one month after,*

* Horse Artillery, 2d regiment of cavalry, His Majesty's 65th regiment light battalion, 1st battalion 2d regiment.

near the village of Couta, situated between Tasgaum and Sattarah, *hung on his rear, cutting off a number of his followers and bazar people, and obliging him to take up his ground, and form and move out his line* to repel their attacks, at a time when, by the General's own statement,* the enemy's cavalry opposed to him, *only amounted to fifteen thousand.*

From the preceding statements it will, I conceive, be admitted as undeniably established, that on the morning of the 30th of December, General Smith's force was at the† Wasserah Pass, one hundred and twenty eight miles, and eleven (marches by the route he had taken from Poonah, distant), and that, *on that very morning*, the Paishwa's army had reached Chakun, being eighteen miles, or *one march*, north of Poonah ;—how, therefore, General Smith could feel himself justified in asserting that, “*I unfortunately did not advert to his pursuit of the Paishwa, which allowed him neither means or time to attack the Capital*”—is what your Lordship can best decide ; even the General's own statement admits he did not reach Corygaum till the 3d of January, on which day he might, had he not turned off east from Chakun, have reached Poonah, *but he could not possibly have done it sooner* ; and as the Paishwa was expected, and undoubtedly might have been, at his capital, by day-break on the 31st of December, it is evident *the enemy had no less than four days to effect whatever their troops*

* 24th January. “ The enemy is upon me now, with all his effective horse, “ twelve or fifteen thousand, stronger and bolder than they have ever yet been ; “ they of course impede me a good deal, but I shall follow up his Highness as well “ as I can. One ensign and five Sepoys wounded to day.”

† Vide additional remark to the Appendix.

were capable of executing, a period wherein many a battle and sanguinary triumph has been fought and won, without the probability of relief being afforded. *Though, as in the affair of Maren, a powerful army commanded by the King in person, was in the neighbourhood, watching the enemy's motions, nevertheless nineteen battalions, and thirty-five squadrons were obliged to capitulate in half that time.* How much more critical then must the situation of my command have been, when, on a perusal of General Smith's Report to his Excellency Sir Thomas Hislop (it appears from the General's own statement), that the Paishwa *had from the first taken such pains to prevent his following him on the direct route of his flight to Cullum, that he had, to avoid impediments, as well as other reasons, taken the circuitous route by Amednuggur, a fact notorious to the whole army.* If therefore General Smith found himself urged to the adoption of this measure when pursuing his Highness *with every anxiety to impede and arrest his progress,* it was a just and natural conclusion, that the same difficulties which interposed to prevent his following him, when flying before him (as he terms it) in one direction, *would operate with equal weight to prevent his following him, when retracing by the same route the course he had so recently taken.* I was therefore fully justified in supposing that General Smith could not return to Poonah in less time than he took to march from it ;—at all events, that no exertion of his could expedite his arrival above two or three days ; and consequently, *that eight or nine days must elapse before he could retrace his steps,* even if informed of the enemy's return to the southward, of which I had just reason to entertain the strongest

doubts, from the nature of the country in which the General's force was acting. The fact is, the Paishwa, as I have shown, might have been at, *and actually was close to Poonah before General Smith even commenced his march to the southward*; nevertheless, General Smith reproaches me with an unwarrantable degree of uneasiness, and want of foresight and reflection; though, by his division order of the 7th of January, on the subject of the achievement of the 2d-1st at Corygaum, he declares "*the enemy's army to have amounted to twenty thousand horse, several thousand infantry, and two guns, attended by the principal Mahratta Chiefs, and the Paishwa in person*:" while Captain Staunton, in a letter I had the pleasure of receiving from that gallant officer after his memorable triumph, computes the strength of the enemy beyond what it had been at any former period of the war. The fact is, the country might be said to have swarmed with them: the 30th, the day that they reached Chakun, the different bodies of their army extended from that, north to Khair, which is four or five miles, and as far as Malunga, four miles to the westward; and on the first and second from Phoolshare on the Beema, twelve* miles N.N.E of Poonah, and Cowrey and Looney, each a short march east thereof, *to within gun-shot of our position in a nullah, in front of which, near two thousand of their men had taken post, who, with others at Wagoley, eight or nine miles on the road to Corygaum, harassed and attacked the division I had sent under Lieutenant Colonel Cunningham's command,† to endeavour to assist the*

* It is perhaps rather more.

† Advancing to the column, and abusing the Sepoys in the most opprobrious

2d-1st, annoying them with a constant fire of rockets and musketry, till their return to the village of Gorepurrah, close to our lines, *the same that had been occupied by Colonel Milnes, and his gallant division of the army, on the 16th of November, on his crossing the river and defeating the enemy (on that occasion)*, who at that time occupied the very ground my brigade was then encamped on, which was, in consequence, abandoned the same night. Whether this was a force that I ought to have regarded the approach of to Poonah with contemptuous and silent indifference, your Excellency can best decide ;—how far I allowed its proximity to agitate or distress me, or, as General Smith has styled it, render me “ *uneasy*,” the gallant brigade under my command can best attest. There is however one proof, from which your Lordship may be able to draw no unfair inference ; it is my Letter to Colonel Fitzsimons of the 30th, already quoted, written at midnight, at a moment my time had been greatly occupied in making a number of arrangements preparatory to the expected attack of the succeeding dawn. After a day devoted to the anxious cares of so responsible a command, as I had then the honor to hold ; when, to add to my other solitudes, after having dispatched expresses* to General Pritzler, informing him of the approach of the Paishwa, and recommending his movement on Poonah, providing for the safety of the stores, hospitals, and families, and language for their espousing a service at variance with their allegiance, and offering, if the men would break their ranks and join them, to advance and favour their movement.

* Every letter of any consequence about this time was necessarily written in duplicate, some in triplicate.

the metropolis of an empire committed to my charge, withdrawing the outposts in the neighbourhood, and completing the communications, I had to make arrangements for the return to the Ghauts of a valuable convoy of one thousand bullocks laden with military stores and arrack, which had, unauthorized by me, been permitted to move on, and which at this interesting moment, I was obliged to attend to, to prevent their falling into the hands of the enemy, whose approach was expected from that very direction by which the convoy, of whose advance I had just been apprised, must have joined. It is a letter that, at this distant period, *with the knowledge before me of every thing that has happened, I would not wish to correct or alter one word of*, but have often reperused with a degree of satisfaction that could never result, if any part of my conduct on that occasion rose in judgment against me ; *it was an application I conceive myself justified in making, had I never received any instructions from General Smith ; but it was an application, that it will appear evident, from the very wording of it, owed its existence full as much to the previous confidential orders and instructions I had received from him, as my own ideas of the necessity, and expediency thereof ; every thing however confirmed me in the belief that General Smith had foreseen the probability of the Paishwa getting considerably the start of him, even though in returning he should previously descend to, and re-ascend from the Concan, on which he had founded his confidential orders, and directed me to be prepared to act offensively against him, on his return to our neighbourhood, by pursuing, “ blockading him, and awaiting his, the General’s, arrival ;”*

operations which required a lapse of time to execute, though in viewing and reporting on the inverse of this subject, he conceives I ought to have been aware, notwithstanding the Paishwa had returned by a still more direct route than he had expected, that it was impracticable for him, with near 50,000 men, to devote his attention to an open city, his capital, wherein it was supposed he had immense treasures secreted ; or did the means he possessed render it possible that any operations should be attempted by him, much less succeed ; all which the General most unreasonably and unwarrantably expects I should have intuitively known, as well as his direct pursuit of his Highness, by a route he had, as he states, from a knowledge of its difficulties, before abandoned the idea of attempting with guns, without which it was reasonable not to expect him. Nor is it unworthy of remark, that at the very moment he was stating this, he was reporting a severe and protracted conflict of that very army, on a corps, the incitement to attack which, either in a public or private view, must be admitted to be of a most subordinate nature.

Were I indeed certain that the Despatch of the 7th, which the Honorable the Vice President has published, was the whole the General had said against me, I might have contented myself to allow that document to speak for, and confute itself ; but the General having treated my earnest application to him, for a copy of his remarks affecting me, with silent neglect ; and having intimated to me in his letter of the 4th* of January, that “ *I had ruined all his plans and exertions, and brought a lamentable misfortune*

* Vide Appendix.

“ upon the force and service at large, which it was impossible to disguise the source of ;” it behoves me to be particularly explicit in my explanations and the vindication of my conduct, under so harsh and unmerited an accusation. How my conduct and measures can have had this unfortunate tendency, as I had not the honor of knowing what the General’s plans were, it is impossible for me to answer this part of the charge ; though I am at a loss to conjecture how it could have occurred as the only measure for which he censures me, and which by any chance could have had any influence thereon, *has been officially represented by him*, “ as one of the most brilliant affairs ever achieved in any army, in which both European and native troops displayed the most noble devotion and romantic bravery, *terminating in a glorious triumph over the Paishwa’s combined forces.*” How such a *splendid victory*, obtained at the trifling expense of only sixty men killed, and double that number wounded, should have paralyzed the efforts of the whole army under his command, a victory which his Excellency the Commander in Chief of the armies in the field has pronounced, *on General Smith’s Report*, to be “ one of the most heroic and brilliant achievements ever recorded in the annals of our army, *a glorious event, constituting one of the brightest deeds in our Indian history,*” is not easy to explain—a triumph too, the important consequences of which *the immense loss the enemy sustained in killed and wounded* excepted, the General has unfortunately lost sight of in his observations and report on that occasion, as I have not a doubt in my own mind, and have every reason to believe, it will be admitted by those under my

command at the time, *that the loss of the two days his Highness's army devoted to that attack, was the saving of Poonah*, as it afforded General Smith an opportunity of approaching sufficiently near to excite doubts in the Paishwa's mind, particularly after what had happened at Corygaum, of his ultimate success, and induce him, doubtless conceiving our whole army, as well as the General, had followed his route, to abandon his original intention of attacking the capital, leading him to regard the continuation of his march to the southward, as the most prudent measure he could adopt; where, owing to the communications I had had the honour of making to General Pritzler, he was enabled to take up the pursuit, overtaking and attacking the Paishwa on different occasions, at a time General Smith had taken the direction of Serroor, *whereby he unfortunately increased his distance, while some days were devoted thereto*. On hearing of the probability of which, I did myself the honor of addressing the General,* to put him in possession of such information, re-

* I also wrote the same day to Mr. Elphinstone, informing him, that my people who had brought me General Pritzler's letter had passed the rear of the Paishwa's army, ascending the little Bhor Ghaut, that very day, leading their horses, which were completely knocked up. In communicating this intelligence, I had hoped it might have encouraged General Smith, then at Corygaum, within one march of them, to have continued his march, or, as he calls it, his pursuit of the Paishwa, a little further, or if he found his own division too much fatigued to do so, that he would have ordered mine, which was fresh, and known by him to be in a state of immediate preparation to have taken it up, till General Pritzler's force, then within a very few marches, could have relieved us, conceiving that the General might have allowed the infantry of his own division to replace my brigade, at least for a time at Poonah. His determination however to go off to Serroor, which was to the east north east, while the enemy were going off to the southward, frustrated every hope connected with this suggestion. It

garding my means of assisting his supposed wants, as might possibly render that movement unnecessary,* which, however, I was not so fortunate as to receive a reply to; whether the object thereof could possibly have been effected by Colonel Boles, whose division was marching on Serroor, which it reached on the 7th, the day after the General arrived from Corygaum, I am not of course competent to offer an opinion; (but I believe) I am perfectly correct in stating, that the General took precisely the same corps † with him when he left Serroor, the afternoon

will indeed naturally strike the reader, that on four different occasions, where Brigadier General Smith appears to have been on the point of reaping the reward of the exertions his army had made to come in contact with the enemy, their fondest hopes were blighted by the conduct of their commander. In the first instance, on the night of the 14th of November, when the army marched out of camp to attack the enemy, and marched back again without doing it.

On the morning of the 17th, when finding the enemy had moved off during the night, their rear being then in view and within shot, no efficient effort was made to follow them up, though he could scarcely have been ignorant that their retreat was obstructed by difficult Ghauts and defiles in the immediate neighbourhood, which it was impossible a retreating army could have escaped through without infinite loss and disaster, had they been pursued.

Again, on his arrival at Corygaum, on the 3d of January, when the Paishwa, and his army, were embarrassed and entangled in the defiles and hilly country, commencing at the little Bhore Ghaut, only one march from where he was at the time, and whence he turned east north east to Serroor; and,

On the 30th January, when he descended the Salpee pass, the Paishwa having the same day descended another pass, a little to the eastward, from which ground Brigadier General Smith returned by the same route four days after, to meet General Pritzer, leaving the Paishwa to go off to the eastward.

* The Paishwa was understood to be at this time at Sassore, a short distance above the Bhore Ghaut.

† Second regiment of cavalry, Horse Artillery, His Majesty's 65th regiment, light battalion, 1st battalion 2d regiment.

of the 8th, as he reached Corygaum with on the 3rd, and as there was no enemy near Serroor* when he went there, they having gone off to the southward, chiefly in the direction of the Bhore Ghaut, and as but one day elapsed after the arrival of his own, and that of Colonel Boles's division at Serroor, I trust it will appear obvious, that nothing that had resulted from any measure of mine induced a necessity for this movement, which is the only circumstance, I conceive, General Smith can possibly strive to lay to my charge, as the result of the affair at Corygaum ; hence I have conceived it a duty I owed myself to show, that it must have arisen from other circumstances, with which I am unacquainted, and had no concern.

The ungenerous severity of these remarks of the General's, to call it by no harsher name, is rendered the more forcibly striking by reflecting that only a few weeks had elapsed since his junction with the Poonah brigade,† *under certainly less urgent circumstances*, when, even after we were aware he had reached Serroor, were in communication with, and not only knew his marches, but almost the very hour when to expect him ; an object *at that time of* UNIVERSAL *and anxious solicitude*—his constant injunctions were, *hazard nothing, I am near, and moving*

* There might have been flying parties, but no enemy in force. The troops there at this time consisted of the 2d-1st, Captain Bett's battalion of Poonah auxiliaries, 2d-15th—4 6-pounders detachment of artillery, details of sick and convalescent.

† Then consisting of a detachment of Bombay and Dapooree artillery, the Bombay regiment, 2d-1st, 2nd-6th, 1st-7th ; besides a detachment of His Majesty's 65th regiment, the light battalion, Resident's escort, and a division of auxiliary horse ; which last, with the light battalion, had joined after the action of the 5th November.

towards you, you know when to expect me ; these, though not perhaps the precise wording of his communications, contain their literal essence and spirit ; yet, nevertheless, he ungraciously reflects on me, because I did not risk the immense stake I had consigned to my charge, to the chapter of accidents, not knowing when, or even where, to look for him, or whether he had even an idea of the danger we were in ; and though it actually proved, in the sequel, that we were as far removed from his assistance, at the time, as if he had been moving from Amednuggur or Kaira to bring me succour at Panwell or Surat. Of the propriety of the General's orders, which I have here cited, no doubt will, I imagine, be entertained ; but I trust I may be excused for remarking, that they were for the guidance of a division whose measures, in some degree, depended on itself ; they appear to have arisen in a belief that, after the reinforcement we had recently received, and the defeat the enemy had experienced, something more might be attempted than had been already done, to follow up that blow, before he arrived, by offensive operations, certainly optional with us at Kirkee, but by no means so with me at Poonah, where my fighting rather depended on my enemy's measures than my own ; though I certainly should have preferred, had I another corps, marching out and meeting him in the field, in preference to defending Poonah, bewildered amidst the sinuosities of its streets, wherein the superior numbers, adroitness as shots, and local knowledge of the enemy's infantry, would have had full effect, and every advantage, while our discipline would have been unavailing. In-*

* Computed by General Smith's route to the northward.

deed I have ever been of opinion, *that that city was to be fought for in the field*,* and that the force at my command was perfectly inadequate to the occupation of the different positions necessary to be maintained in any attempt to save it by any other means.

If, after all that I have said on this subject, a doubt should still exist in your Lordship's mind, of the critical situation, and nature of the weighty charge with which I was entrusted, your Excellency will, I trust, pardon me for adducing such proofs as,—notwithstanding the assertions of General Smith, that the place was in no danger of an attack,—will, I doubt not, be admitted *as affording ample proof of his conviction to the contrary*. As, however, some of his measures may possibly admit of a different construction, it is the fairest way, both for the General and myself, to state the whole in succession as they occurred, whereby your Lordship will be better enabled to decide what were the General's real sentiments on the subject.

The first in order, of the measures to which I allude, was General Smith's appointment, on leaving Serroor on the 8th of January, of a division† of three Native and one European bat-

* I have already stated that the city was destitute of any other works for its defence, than what we had constructed to strengthen the position I had been directed to occupy, and the old Palace, which was an unfinished fortification amidst surrounding and commanding houses. There was a wall with two or three round towers near the river, which probably was the commencement of a work intended to envelope the whole city, but of so little avail that it had been abandoned almost as soon as begun, a strong presumption that the Mahratta government had convinced themselves that their capital could only be defended in the open country.

† Four hundred Bombay European regiment, 1st-3d, 2d-9th, Bombay Native infantry, 2d-15th Madras Native infantry, detachment of artillery, 1700 auxiliary horse.

talion, under the command of Colonel Boles, (who was also directed to take charge of the train, which accordingly accompanied him from Serroor), for the purpose, *as the General informed me, of covering Poonah, in the neighbourhood of which he was to move*, as a corps of reserve and observation; this, however, was done away by his being ordered on, about a fortnight after, to join the General near Meritch, who, however, met him at the Salpee pass,* about sixty miles south-east of Poonah, the Paishwa having, nearly at the same time,† descended only a few miles east thereof; five days after‡ which, General Smith returned south, to meet General Pritzler, leaving Colonel Boles to follow him, at which time the General transmitted me orders,§ to detach *every artillery officer and man, every howitzer and iron gun, and the whole of my European detachment*, to join Colonel Deacon's force, who had been ordered to advance from the neighbourhood of Bheer on Poonah, for the reduction of Chakun, the 2d-1st being ordered to reinforce me, and replace them from Serroor. The first order was however suspended the day after,|| when I received an intimation that as I might expect the Paishwa would again pass between Poonah and Serroor, I was to avoid, for the present, making any detachments. The Paishwa however did not come, and Colonel Deacon approaching Poonah, the previous order was complied with, at a time General Pritzler had arrived in the neighbourhood, and was besieging Singhur,

* The 30th of January, Gokla descending the same evening by the Salpee pass.

† The 30th of January. ‡ 4th of February. § 6th February, 1818.

|| By orders dated the 7th of February.

which, as well as Poonadar, it was at length decided on reducing, to ensure the tranquillity of the capital, which had been constantly liable to alarm, from the strength and reported designs of the garrisons of those important fastnesses : from all which I imagine it will be obvious to your Lordship, that the reduction of those places, *identified as they were with the position of Poonah, was at length considered essential to the security and tranquillity of that capital*, whence General Smith also wrote to Lieutenant Robertson, to remove some property, or presents of value,* to Amednuggur, as a place of greater safety.

Having now, I conceive, fully shewn to your Lordship the injustice and futility of the assertions, and imputations in the Report that has led to my present protracted trespass, I anticipate your Excellency's pardon for submitting, as an Appendix hereto, some Letters and official Orders, which have either a direct reference to the above circumstance, or appear to be intimately connected therewith, and which having ultimately led to my resignation of the honorable and interesting command I held at the principal theatre of the war in the Deccan, an event which your Lordship having doubtless been already made acquainted with, it becomes a duty I owe to myself and your Excellency, to put you in possession of the principles by which I was actuated on the occasion, which I most anxiously hope will prove a sufficient and honorable justification of that, to me, most distressing measure, to which, nothing but a conviction of the imperious necessity, from the humiliating and embarrassing predicament

* Which had hitherto been permitted to remain in the Palace.

in which I was placed, by the conduct of my immediate Commander, could possibly have urged me.

In looking over these Documents, it doubtless will not escape your Lordship's notice, that the General's Report of the affair* at Corygaum to the Commander in Chief of the army of the Deccan,—his Order* on the same subject,—his official reprimand to me, for my *secret and confidential orders to the paymaster* at Poonah, of the 2d of January, to suspend taking up any more money of the Shroffs, *at a time I had his orders in my pocket to leave the capital, and march after the Paishwa*, whereby every thing that remained must be placed in jeopardy, and the utmost danger; an order, he was well aware, by my Letter of the 5th of January, *I had prepared to act upon*, when the events at Corygaum called my attention to precautionary and defensive operations,—his Order regarding the officers at the heads of departments at Poonah,† were all of simultaneous date, all subsequent to the receipt of my Letter of the 5th of January, in reply to his of the preceding day, on the subject of the affair at Corygaum, which Letter he never did me the honor to answer, wherein I took the liberty of telling the General “ *the disaster we had to lament* “ *arose from the duties he had done me the honor to assign me, that* “ *I was prepared to justify my measures, and only sought to know* “ *what he alleged against me;*” and what is not less remarkable, and to which I most respectfully beg leave to call your Lordship's attention, all of corresponding date‡ with the publication

* 7th of January.

† 8th of January.

‡ It was brought to me by one of my own people, who brought also one of the

of his Excellency Sir Thomas Hislop's complimentary Order of the 14th of December 1817, wherein he does me the honor to mention me in terms of the most flattering and honorable distinction, *in the same Order with General Smith.*

How I came to be so unfortunate as to be held up to my most exalted Superiors, to those immediately under my command, and to the army at large, in such a variety of humiliating and degrading ways, *at that particular moment too*, when, as General Smith *had never thanked me by himself,* his staff, or his orders, for the event of the 5th of November, or even acknowledged the receipt of the Despatch, though transmitted in duplicate, one after his arrival in camp*, an event which he has even, I believe, represented in his Report thereof, as an attack on my position at Kirkee, not a regular field engagement, where I marched out to meet and give battle to the enemy, and defeated the collected force of the realm, in the presence of their Prince, and under the walls of their capital, is what I shall not presume to conjecture, to your Lordship. It may possibly appear, under these circumstances I might have anticipated some merciful forbearance from him, an officer who had on former and subsequent occasions, exhausted the language of panegyric, in commendation of far less important, and subordinate events. Suffice it however to state the fact, as the best criterion—of the degree of justice, con-

above. I have the original Order, which is a mere copy of Sir Thomas Hislop's, the day of publication at Serroor *not* being added, or any thing but the Deputy Adjutant General's signature, and that of Mr. Russell, the first Assistant.

* Vide Supplement B.

sideration, and liberality with which it has been my misfortune to be treated by him. I believe, indeed, it presents an almost unique instance in the annals of history, of an officer having had the singular good fortune to command on so glorious an occasion, where an audacious and faithless host in arms, *who but the preceding moment were not only our friends, but our allies*, were met in fair and open combat ; and, in the face of day, undaunted by their surrounding myriads, defeated by the brave devotion of a handful of troops ; a triumph *which is generally admitted to have given a tone to*, and have shed its rays on the subsequent events and politics of the war, being treated with so little respect or consideration, by my immediate Commander, who did not even condescend to record one word of commendation to the gallant officers and men I had the honor of commanding. Thus, while I have the misfortune of seeing myself held up to the public in this invidious light, *for having been the cause of the Paishwa's experiencing a second defeat*, the victory on which his Excellency Sir Thomas Hislop has paid me the highly flattering compliment to found his acknowledgments, and your Lordship, the more exalted and distinguished honor of announcing from the ramparts of Fort William, remains unlettered, if I may be permitted to use the expression, in the records of the Commander of that division in which I immediately served.

I shall not here take the liberty of intruding on your Lordship, the detail of the humiliations and indignities heaped upon me by General Smith, subsequent to these events, great and numerous as they were, even on the occasion of my strictest con-

formity to the literal and verbal purport of his orders. They are so completely lost and absorbed in the superior magnitude of his ungenerous treatment, by his Official Report of the 7th January, for your Excellency's information, that it would be descending into inferior and subordinate considerations to give them attention.

I shall therefore conclude this prolix trespass on your Lordship's attention, happy if I shall have had the good fortune to justify my conduct, and redeem it from the harsh and unmerited aspersions contained in General Smith's Report, herein alluded to.

I have the honor to remain,

with the greatest respect and confidence,

MY LORD,

Your Lordship's

most obedient and most humble servant,

(Signed)

C. B. BURR,

Surat, 16th June, 1818.

Lieut. Colonel of Infantry.

APPENDIX.

Letter from Brigadier General SMITH, to Lieutenant Colonel
BURR.

MY DEAR COLONEL,

Camp Khoregaum, January 4, 1818.

YOU have almost broken my heart by the lamentable misfortune you have brought upon the force, and the service at large, in your conduct respecting the 2d-1st, which has been nearly sacrificed, with the loss also of nearly all the Madras artillery detachment.

Your public responsibility will be too heavy and serious for me to use any private reproaches. If you look at my instructions to you, in the only two cases in which I allowed you to move the 2d-1st, you will see how contrary you have acted to my wishes. Whatever created danger in Poonah, created danger also in Serroor, where all my heavy park was ; and how you could possibly think of withdrawing the corps in such circumstances, and how Colonel Fitzsimons could allow of it, are perfectly inexplicable.

You must have known the Paishwa was rapidly flying from me, and could be in no temper or condition to delay his march to escape me, by attacking you.

You have ruined all my exertions and plans, and occasioned the loss of many brave men for nothing, and I cannot of course disguise the source of such a misfortune.

I march for Serroor to-morrow, have saved the wounded, and buried the dead ; keep the auxiliary horse, &c. till I send you orders.

Yours, very truly,

(Signed) LIONEL SMITH.

Letter from Lieut. Col. BURR, to Brig. Gen. SMITH.

MY DEAR SIR,

I AM just honored with the receipt of your favor from Corygaum, of yesterday's date, and could I for a moment blame myself for the catastrophe that has befallen our brave comrades, in their endeavour to join me at this station, be assured my feelings would be of the most acute nature. Thank God, I can neither accuse myself of a want of attention, I will even presume to call it devotion, to your orders, or a want of consideration for the lives and fortunes of my professional associates, in whose preservation alone our prosperity and security must ever depend. Those friends and officers who are best acquainted with my pro-

fessional and private character, will, I feel confident, bear testimony to this assertion ; but it is not in our power to control or foresee the decrees of Providence, or ensure success to the best devised or well intentioned plans ; as every officer who has had the anxious duties of command devolve on him, under circumstances of great difficulty and danger, must have occasionally, and ever will experience. Believe me, my dear General, the situation in which I have been placed has not been to me a bed of roses. Other officers, at this moment enjoying honorable and distinguished commands, have had the good fortune to have had means placed at their disposal, and duties entrusted to them, which made their only solicitude, that of meeting and engaging the enemy, in the way which their own ideas and resources suggested. My case has been otherwise ; *I have had an immense responsibility attached to me, with very limited means ; with a very small regular force, and a few irregular horse, I have been placed at the heart of the Mahratta Empire, in the very centre of the scene of hostilities ; I have had to occupy, and be prepared to defend, a fortified position, fixed on for me to occupy, and protect the metropolis of our enemy, filled with his fugitive troops and emissaries, and the private hired men, whom individuals have been permitted occasionally to engage for the protection of their houses or merchandize on the road ; maintain a chain of posts to the Ghauts, assist in forwarding on convoys ; and finally, be prepared for offensive operations against the Paishwa himself at the head of an immense army, perhaps more numerous at this moment than ever it has been, pouring down upon us—at a moment when*

you were unfortunately at a distance,—determined, it was understood, to make some desperate effort to retrieve his fortunes in passing this place, and evidently on the point, as far as it was possible to conjecture, of going to await the result on some of the neighbouring hill forts, with which this position may be said to be associated ; in all of which are strong garrisons, whence his troops can sally forth to annoy this force, or assist his own at pleasure. Yet amidst all these difficulties, I never lost sight of the object you had in view, blockading his Highness in any of his fastnesses, he might intend to retire to ; with this view, and to enable me to carry your orders into as immediate effect as possible, after the enemy might have been beat off from this, which I undoubtedly expected to be first obliged to do ; I made the application which has led to the disaster we have to lament. *It arose from the duties you had done me the honor to assign me, and which I was determined to acquit myself of, to the best of my abilities ; with this view, every arrangement had been made as secretly and quietly as possible, to enable me to pursue the Paishwa without loss of time.* I had even,—counting upon the possibility of the 2nd-1st arriving the night of the 1st,—sent out people to the Paishwa's camp, which I had reason to believe was not more than seven or eight miles from me, to gain such local information as might guide me in any attempt, the proximity of his Highness to my position might urge me to (attempt) ; communicating my ideas on the subject to one or two of my friends ; which, however, the unfortunate news from Corygaum obliged me to abandon.

My conscience, therefore, believe me, my dear General, most

fully acquits me of the professional guilt you unfortunately think attaches to my conduct, and enables me to look forward with fortitude, not devoid of the proudest feelings of hope and confidence, to any scrutiny, which my conduct may be thought to require ; hard indeed would be the soldier's lot, if measures were to be judged by their results ;—it is the measures themselves, that I am prepared to rely on for my justification. We cannot always command success, but where no pains have been spared to ensure it, one can with no ordinary confidence look forward to the result. It may not be improper for me to remark, that when I sent off my application to Colonel Fitzsimons for the 2d-1st, the advance of the Paishwa's force was at Chakun, eighteen miles north, and I believe, westerly of this, and thirty-six west of Serroor, and Gokla's force said to be at Mullunga, which is still further off to the west ; and the route by which the Paishwa was expected to advance, was that of Dapooree or Chinchore ; it was therefore, I think, a fair inference, that the battalion would have been enabled to reach this, even had the enemy not quitted this before their arrival, which was also to be expected.

May I request the indulgence of being permitted the perusal of any Report you may deem it necessary to make, regarding this unfortunate business.

It may not be improper to inform you at this time, which other more important circumstances prevented my doing sooner, that, in consequence of my having received a Report from Lieut. Rankin, commanding at Carlee, of the state of his post, and the enemy's conduct and force in that neighbourhood, which ap-

peared to render it advisable to reinforce Condallah, and place his own party in safety,—under the existing circumstances in our neighbourhood, as well as his own, I deemed it expedient to direct him to send back a convoy of one thousand bullock loads of gunpowder, biscuit, and grape shot, which had arrived at Carlee (to Condallah), under an escort of a Havildar and twelve, and subsequently to fall back for its better protection to that post, after dismantling his position at Carlee.

I have since received a report, that an European officer, with a compliment of artillerymen, and 2 6-pounders have arrived at Condallah, together with Captain Delamotte, about eighty pioneers, and 400 workmen ;—and that Colonel Prother was on his march to the same place, in consequence of orders from Bombay, which I have not yet been made acquainted with.

I remain,

My dear General,

your very faithful and obedient servant,

(Signed) C. B. BURR.

Camp, Poonah, 5th January, 1818.

Camp, near Serroor, 8th January, 1818.

DIVISION ORDERS.

By Brigadier General SMITH.

THE following officers of general departments stationed at Poonah, are declared to be under the special authority of the officer commanding the division, or Poonah subsidiary force, and are in no case subject to the orders of the officer commanding the troops at Poonah, except in as far as their duties may relate to that proportion of the troops there serving; and Brigadier General Smith requires that they shall in no way be interfered with in any orders they may receive from the respective heads of their departments, and they are solely responsible to those officers and the Brigadier General.

Engineer department,	- - -	Ensign Slight.
Ordnance department,	- - -	Lieut. Laurie.
Commissariat,	- - -	Capt. Snodgrass.
Pay-office,	- - -	Lieut. Gibbes.

(A true Extract) (Signed) H. TOVEY,
Dept. Adjt. General.

Copy of a Letter from Lieut. Col. BURR, to Captain TOVEY,
Dept. Adjt. General, on receiving the above Order.

Captain TOVEY, Dept. Adjt. Gen. 4th Div. of the Army of the
Deccan.

SIR,

I have the honor to acknowledge the receipt of the Extract of the Division Orders of the 8th, which will be immediately published, and beg you will do me the favor to represent to General Smith, that I am unconscious of having interfered improperly in any department; if, unfortunately, it has been so represented, I shall feel much obliged,—at the same time, I doubt not the General will consider it an act of justice,—to let me know in what I have erred, that I may be enabled to justify my conduct.

I have the honor to be placed by him in a most responsible situation, wherein much is expected of me, and much must necessarily devolve on me; in the discharge of this duty, I shall use my best endeavours to acquit myself of the responsibility which attaches to me, and am not devoid of a hope, that I shall be so fortunate as to justify myself to the General, for whatever measures the circumstances under which I am placed may oblige me to adopt, in the discharge of the duties of the situation confided to me. I know of no Order I ever gave Lieut. Gibbes, that can, by any construction, be regarded as an interference in his department, beyond a *secret and confidential* injunction, which

lasted about forty-eight hours, not to receive any more treasure, at a time I expected to be hourly attacked,—thought it possible, if not probable, that the enemy might succeed in some of their attacks on the extensive positions we occupy,—and conceived it my duty to the service, not to subject them to a greater risk than could be avoided, or hold forth a greater temptation to the enemy to attack any particular point, by an accumulation of wealth, where we might find a difficulty in protecting it. I had understood from Lieut. Gibbes, that he received daily large supplies of money ; the city, it was supposed, would be immediately attacked, and it behoved me to use every endeavour to prevent the treasure in the city, at the responsibility of the Shroffs,* being transferred from their private risk, to the public charge of the Company, to whom they would naturally willingly advance lacs, when they expected to be plundered by a hostile army of every pice in their possession.

The second day, after the immediate danger of the attack on the city had subsided, and having received a letter from General Pritzler, mentioning to Mr. Elphinstone, that he would require a lac and twenty-thousand pagodas, I thought myself justified in removing the restriction, a sense of duty had urged me to impose ; at the same time I intimated to Lieut. Gibbes, what would be the extent of an application on his treasury, which I have every reason to conceive he was unacquainted with ;—this is,

* I have since heard that one Surat Shroff alone had twenty two lacs of rupees in Poonah at the time.

as far as I know, the extent of my interference with the Paymaster.

With regard to the Engineer, I cannot for a moment persuade myself, that officer has considered any part of my conduct unauthorized. He is an intelligent, diligent young man, and has ever, as far as I can judge, been happy to execute every order I gave him, which could of course only concern the duties* of this place, unless my having detained him here is considered improper, which I did myself the honor of reporting to the General, and had every reason to suppose my conduct met with his approbation.

Anticipating the General's most indulgent construction of this trespass on his time and attention,

I have the honor to remain,

SIR,

your most obedient humble servant,

(Signed) C. B. BURR,

Lient. Colonel.

* I little imagined at this time, that the Order in question was only a prelude to Ensign Slight's being directed to consult with Lient. Robertson, Superintendent of the City Police, and commanding the daily guards thereof, and, in concurrence with him, adopt such measures as might appear adviseable to them for the defence of the city, entrusted to my military charge; I was thus not only excluded a voice on the occasion, but became subjected to the necessity of conforming myself, in the moment of difficulty and danger, to the ideas by which they had been guided regarding the defence of the capital, for which I was personally and alone answerable with my commission.

N. B.—As my remarks regarding the officers at the head of the other departments, are of no consequence, as affecting my own conduct, and of course, on the present occasion, perfectly uninteresting to your Lordship, I have taken the liberty of omitting them.

The following Letter, though of one day's anterior date to the Order of the 8th, already cited, was not received by me, till I had replied thereto, and is therefore inserted in this place; as introducing it, agreeable to its date, would, by deranging the order of the Correspondence, have confused the subject.

To Lieut, Colonel BURR, Commanding at Poonah.

SIR,

I have the Commanding Officer's directions to acquaint you that the annexed* Letter, addressed by your order to the Paymaster at Poonah, has been referred by that officer to the Brigadier General's consideration.

The Commanding Officer cannot but express his astonishment, that you should, under any possible circumstance, have taken upon yourself to give such extraordinary orders to the Paymaster, which went to excite alarm among the money-dealers, to depress our credit, and increase difficulties in raising funds.

The Commanding Officer is extremely displeased at your con-

* Introduced in the Supplement.

duct on this occasion, and directs me to convey his positive orders that, in future, you in no way whatever interfere with the Deputy Paymaster, who is solely to receive his instructions from the Brigadier General, or the Resident.

You will assign Lieut. Gibbes, D. P. M. convenient accommodations for his duties in Rastia's house,* from which he is on no account to be removed, but on authority from Head-quarters.

I have the honor to be,

SIR,

your most obedient servant,

(Signed) H. TOVEY,

Camp, near Serroor, 7th January, 1818.

Dept. Adj. General.

Copy of a Letter from Lieut. Colonel BURR to Captain TOVEY,
Deputy Adjutant General.

Captain TOVEY, D. A. G. 4th Division of the Army of the
Deccan.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 8th instant, conveying me a severe reprimand, the first I have

* Lieut. Gibbes was actually at this time, and had for some time preceding, been in command at the post at Rastia's house, where he had made choice of his own quarters, had always expressed himself satisfied with his accommodation, and had been assured by me that it was my wish, unless circumstances occurred to interfere with it, to continue him in that command.

ever had the misfortune to receive in my life, during upwards of twenty-eight years service, from any professional superior, under whom I have had the honor of serving, since I have held a commission, for conduct, which so far from considering culpable on my part, I should conceive it an imperious duty I owed my honorable Employers, and the public service, to repeat under similar urgent circumstances.

With this unfortunate difference of opinion on a subject of so much importance, deeply distressed at the animadversions it has been my misfortune to experience in public Orders, as well as various private and official communications, from an exalted superior, to merit whose approbation has been the unceasing and anxious object of my constant solitudes, I conceive it a duty I owe to him, to myself, and the service, of which I have the honor to be a member, to request you will do me the favor most respectfully to entreat of the General Officer commanding this division, to relieve me from the weighty responsibility that I feel attaches to my situation, by appointing some other officer more likely to be honored with his confidence and approbation, in the discharge of the varied and anxious duties I have for some time past had the honor to be entrusted with. The General, I feel confident, is sufficiently acquainted with my professional and private character, to be convinced that it is not devoid of the deepest regret, I have felt myself impelled, at this interesting moment, to adopt this measure, but it is one due to himself, as well as to myself. In submitting this request to General Smith, do me the favor to state, that under the circumstances in which

I find myself situated, should he find it convenient to dispense with my presence with this force, I should feel obliged by his permission to avail myself of the first favorable opportunity of proceeding to the Presidency.

I have the honor to be,

SIR,

your most obedient humble servant.

(Signed)

C. B. BURR,

Camp, Poonah, January 14th, 1818.

Lieut. Colonel.

Letter from Captain TOVEY to Lieut. Colonel BURR, *received the 23d of February*, about 5 o'clock in the evening, and about a quarter of an hour before Lieut. Colonel Boles arrived to relieve me.

SIR,

Camp, near Neembuck, 25th January, 1818.

I have had the honor to lay your letter of the 14th instant before Brigadier General Smith, who has directed me to communicate that, in compliance with your request, he will take the earliest opportunity of relieving you from your present command, but under existing circumstances he cannot permit you to proceed on leave of absence to the Presidency.

I have the honor to be,

SIR,

your most obedient servant.

(Signed)

H. TOVEY,

To Lieut. Colonel BURR,
commanding at Poonah.

Dept. Adj. General.

The preceding Letter was accompanied by another packet of Orders, of which the following is an Extract.

Camp, near Corygaum, 8th February, 1818.

DIVISION ORDERS,

By Brigadier General SMITH.

Lieutenant Colonel Burr, commanding at Poonah, is granted leave of absence to the Presidency, upon being relieved by the officer appointed to succeed at that station.

(Signed) H. TOVEY,
Deputy Adjutant General.

SUPPLEMENTARY.

Copy of a Letter written by order of Lieutenant Colonel BURR, on the 2d January, which led to General SMITH's reprimand of the 7th of January.

Secret and confidential.

Lieutenant GIBBES, D. M. Paymaster, Poonah.

SIR,

I AM directed by the Commanding Officer (Colonel Burr) to desire that after the receipt of this, you do not, until a change of circumstances is notified to you by his orders, take up any more money on the public account from the Shroffs of this city, or any other persons, as your doing so must be entirely at your own responsibility.

I have the honor to be,

SIR,

your most obedient servant,

(Signed)

A. MORSE,

M. B.

Extract of a Letter from Captain HARDCASTLE, Major of Brigade, to Brigadier General SMITH.

Dated Camp, January 9th, 1818.

WITH reference to the present destination of the division under Lieutenant Colonel Boles, who is expected to be at Loonce about the 11th instant, I have been instructed to acquaint you, that you are not, on that or any other account, authorized to undertake any offensive operations whatever in any quarter, with any part of the troops at Poonah ; and the provisional instructions in which you were authorised to do so by the Commanding Officer's Letter of the 23d ultimo, are cancelled.

(Signed) M. HARDCASTLE,
Major of Brigade.

The preceding paragraph is inserted, to shew in what light *General Smith regarded those orders.*

Copy of a Letter to which I have alluded in the body of my Address to your Lordship, as having been received by me from the Honorable Mr. Elphinstone, on the evening of the 2nd of January.

To Brigadier General PRITZLER, &c. &c. &c.

SIR,

Camp, Toorgon, near Akola, December 28.

SINCE this force left Ahmednuggur the Paishwa has been encamped at Baumunwarry (or Baumungong) ; it seems to have

been his intention to proceed ultimately to the northward, for he yesterday sent his tents to the Wassera Ghaut, south of this place; but General Smith, after marching northward as far as Kolar on the Paira, suddenly turned west, and encamped yesterday at Sungumnair, on which the Paishwa recalled his tents, and moved to Cotool, west of this place, with the supposed design of proceeding northward by Rajoora. The advance of this army, however, induced him to abandon his design, and return this forenoon to Baumunwarra. It is now uncertain whether he will fly to the southward, or attempt to pass to the northward by some other route. A large* body of his cavalry is said to be still to the south of the Ghauts,

I have, &c. &c. &c.

(A true Copy.)

(Signed)

M. ELPHINSTONE,
Resident.

MY DEAR COLONEL,

The above is the news of to-day. I doubt whether the Paishwa will go south, after all.

Your's, sincerely,

M. ELPHINSTONE.

Colonel Burr.

* This perfectly agreed with my previous information; of course, this division of the enemy had not near the distance to march to Poonah as those who had penetrated the hilly and jungly track.

The following Statement of the Paishwa's force, on the 1st of January, 1818, though probably considerably exaggerated, may tend to convey an idea of the vast army by which he was accompanied. It is founded on the information of a very intelligent native, supposed to be well acquainted with the subject. I have therefore thought it might be a proper conclusion to the Appendix, together with a Table of Distances.

Statement of the Paishwa's force at Loonee, on the 1st of January.

With his Highness Badjee Rao, from	-	4000 to	5000
Bappo Gokla	- - -	10,000 to	12,000
Narrapunt Aptay	- - -	2000 to	3000
Wamun Row Aptay	- - -	1000 to	2000
Sedajee Row Nepaunker	- - -	4000 to	5000
Chintamon Row Putwerdhen	- - -	3000 to	4000
Mahadow Row Rastay	- - -	1000 to	2000
Trimbuckjee Danglea	- - -	2000 to	3000
<hr/>			
			27000 to 36000

In the rear, supposed with Gen. Smith,

Abbou Poorundarree	- - -	3000 to	4000
Vinchoorkur (Rajah)	- - -	6000 to	7000
<hr/>			
Grand Total		36000 to	47000
<hr/>			

Besides some Pindarrees left in the neighbourhood of Serroor.

The subjoined Statement of the relative distances of places adverted to in the Statement, which it may be interesting to know, and framed from an actual survey, may be relied on.

From Poonah to Nassick, the place General Smith and the Paishwa were both supposed to be	British miles.
marching on, via Ahmednuggur - -	158
And by the most direct road by Chakun -	100
From Poonah to Sungumnair, via Ahmednuggur	120
From Poonah to Sungumnair (by Chakun) -	72
From Poonah to the Village of Wasserah (Ghaut)	127
From the Wasserah Ghaut to Sungumnair -	8
From Sungumnair to Kullum - - -	34½
From Sungumnair to Rahoory - - -	33
From Sungumnair to Baumunwarry or Baumun- gong - - - - -	14½
From Chakun to Corygaum - - -	14
From Corygaum to the Little Bhore Ghaut, east of Poonah - - - - -	16½
From Ahmednuggur to the Village of Wasserah -	55

Remark.—I have stated, in the preceding comparative view of distances, that the Paishwa was supposed to be marching on Nassick; the second paragraph of General Smith's Report of the 7th of January specifically adverts to it; while, by a reference to the Honorable Mr. Elphinstone's Letter of the 28th of December, it will appear that it was not till the preceding day that General Smith, who had been previously marching northward,

suddenly turned west, when in the parallel of Sungumnair. Of his plans or movements, I have already stated the extent of my knowledge, being limited to his confidential Letter of the 23d of December; but it is evident, had he not, on reaching the parallel of Sungumnair abruptly turned west, he would have reached * Nassick (or the parallel thereof,) by the 29th; it was, however, impossible for me to know where the General was.

True Copies and Extracts,

(Signed)

C. B. BURR,
Lieutenant Colonel.

† A.—Some of the difference in General Smith's Statement of distances, may be accounted for by a perusal of Mr. Elphinstone's Letter to General Pritzler, from which it would appear that the General's route had taken him circuitously, and north about, to the Wasserah Ghaut; as, in the above Letter of the 28th, the day before the General entered it, he mentions it as being to the southward; the greater, however, the distance the General went over, and the further he was removed from me at Poonah, the greater the necessity that existed for my adoption of every precautionary measure in my power.

Extract from General Smith's official Despatch of the 7th of January: "I entered the Wasserah Ghaut with great difficulty
" *on the 29th ultimo*, the passes having been blocked up and

* Which would have placed him 158 miles off.

† Vide ante, p. 29.

“trenched by the enemy. The guns could only be dragged by great labour of the troops, and my rear guard did not reach camp *till twelve the following day.*” Hence it appears, that at the very moment General Smith’s rear guard were marching into his camp at the Wasserah Ghaut, 128 miles, by the route he had taken, from Poonah, the Paishwa had arrived at the very threshold of my position. How General Smith, the immediate trustee of the reputation of the force entrusted to his command, could, under these circumstances, feel himself justified in making the Report he did for your Lordship’s information of the 7th of January, is what I feel myself at a loss to conjecture, knowing as he did that I had his Letter in my possession, wherein he informed me, it might be some time before he could bring his division up.

* B.— To prevent any misconstruction of what passed on this subject, I find myself under the painful necessity of intruding still further on your Lordship’s attention with the following detail thereof.

On the General’s arrival at the camp we occupied at Kirkee, on the 13th of November, I rode out to pay my respects to him ; he was then riding along the front of our line, and on my going up to him, he took no notice of me. I continued riding by him for some time, when the Honorable Mr. Elphinstone said, “ General, here is Colonel Burr, come to pay his respects to you.” On this he turned towards me, and with much frigid indifference, said, “ I

* Vide ante p. 59.

am glad to see you mounted, Colonel.”—“ I congratulate you on your achievement ;” the General’s usual mode of addressing me was far more friendly and cordial. The above was however all that passed for some time, and with the exception of some unimportant conversation, all that passed between us that day.

Early after breakfast the next morning, I received a note from him, couched in his usual style of friendship, to attend him, as he was anxious to see me ; I was at the time preparing to do so, and immediately went over to his camp with a light heart, expecting thanks and compliments, when he informed me, he would require my battalion to accompany him in his intended movement against the enemy ; that it would only be separating us for a day or two, and he hoped I would reconcile myself to their temporary absence. I replied, I should be very happy to have the honor of accompanying them, if he would permit me, and that I believed my doing so, would be agreeable to all parties. He told me he was very certain of my anxiety to do my duty, but that he wished me to remain in command at Kirkee ; that as soon as the business was over, I should have my corps back again ; and that he was sure, when I knew his anxiety to have them with him, as one he could place so much dependence on, that he was certain I would not wish to deprive them of an opportunity of sharing in what was going forward. I repeated my wish to accompany or keep them : but finding the General seemed to have made up his mind on the subject, I endeavoured to acquiesce with a good grace to an arrangement which I certainly did wish had not been decided on.

After this the General did me the honor to encourage me to offer my opinion regarding the proposed attack, and on his going out to reconnoitre the enemy's position, I accompanied him.

I do not recollect whether it was during this day or the next, or both, that being alone with the General, he expressed in very kind and friendly terms, the regret he felt at having applied to Bombay for a senior officer to be sent up to supersede me in the command at Poonah, alleging that he had not the least idea, I was in the state of health I then was, or he never would have thought of doing so; that he should put me in orders immediately for the command of a brigade, and expressed himself much concerned at what he had done. And at a subsequent interview, after Poonah fell, and he had put me in orders for the command thereof, repeated these assurances, saying his application had placed him in an embarrassing situation, but he would keep me in command of Poonah as long as possible, adding, "I shall make," or "have made, particular mention of you in my Despatches." I thanked him, and expressed my hope that my conduct would at all times be so fortunate as to give him satisfaction, and that he might depend upon my utmost exertions to meet his approbation. He replied, "That he was very sure of."

The above is, to the best of my recollection, a faithful, correct, and, as far as necessary, a verbatim report of what passed between us on these subjects, by which I presume it will be admitted;—whatever compunction General Smith might have felt for the injustice he had done me in applying to (my own) the

Bombay Government, for my surpercession in an honorable command, wherein he had not even given me a trial ; and however willing he appeared to be to make atonement for what he had done on that occasion,—he warily avoided associating it with any of those demonstrations of commendation or gratification at late events, which,—from the gracious manner in which he had publicly noticed in Orders the subordinate achievements of the smallest parties, when employed against Pindarees and other freebooters,—not only myself, but the whole force under my command, on that memorable occasion, had a right to, and confidently expected.

True Copies and Extracts.

C. B. BURR,
Lieutenant Colonel.

R E P L Y
OF THE
MOST NOBLE THE GOVERNOR GENERAL.
AND
SUBSEQUENT CORRESPONDENCE WITH THE BOMBAY
GOVERNMENT.

Copy of the Autograph Reply of the Most Noble the GOVERNOR
GENERAL, received at Surat, the 16th of November, 1818.

SIR,

Calcutta, October 13th, 1818.

AN immediate difficulty presented itself to this Government on the receipt of your Appeal against the conduct held by Brigadier General Smith towards you. A positive act of injustice has something of precision in it, which may make the Supreme Authority to pronounce on its quality ; but where the matter agitated is open to the question between the existence and non-existence of slight in manner, or involves the measurement of a tone in which a superior officer communicates, through the form of private correspondence, his dissatisfaction to an individual under his command, it is hardly possible that such a tribunal

can entertain the subject. The observation does not imply that Government contemplates lightly any thing which can wound the feelings of a distinguished officer. It could not view without regret, a mortification suffered by one, who had exemplarily served the state. In proof of that interest, the Government requested from me, in my capacity of Commander in Chief, a consideration of your case, which could not be given to it by the Governor General in Council. The transfer has not obviated all the difficulty ; for sufficient embarrassment remains to make it necessary that my Answer to you should be only in a demi-official shape, and not through the Adjutant General or Military Secretary. On reflection, it must occur to you that the ungraciousness of demeanour towards you, which you have imputed to Brig. General Smith on his arrival at Poonah, after your victory, is asserted to me solely on your construction. The construction may have been accurate, in which case I should lament the circumstance ; still, the apparent disregard may have been unintentional, and Brig. General Smith may not have been conscious of his deficiency in due civility. A complaint of this kind can, therefore, furnish no ground for special intervention. The Letter which Brig. General Smith addressed to you respecting your having exposed the battalion to be attacked at Corygaum, by summoning it from Serroor, is not attended with similar uncertainty. Though the expressions used in that Letter appear to have been a sort of confidential effusion, the reprehension is signified too much in the character of Commander, not to establish your title to refer to me for an opinion

as to the justice of its application. On that account, I feel bound not to withhold or disguise my sentiment on the point. I certainly think that the antecedent instructions justified you in regarding yourself as possessing entire discretion, relative to demanding the aid of the battalion in question. As to your exercise of that discretion, I must of course be sensible that many circumstances may be unknown to me, which ought to be taken into calculation, were a decided opinion required on the policy of your causing the battalion to reinforce you : but it is quite enough to say, that, as far as appears to me, your motives for doing so were strong.

The form of Brig. General Smith's Letter to you, forbids my noticing the subject officially. In a private manner, my sentiments shall be communicated to him ; nevertheless, I am to extreat that you will not mistake the only principle on which I could so interfere. While I trust to have healed your soreness by the profession I have made, I must hope that I shall induce you to meet frankly any consciousness Brig. General Smith may manifest of having erred towards you : and that I may thence have the satisfaction of thinking, that my writing to him on the subject, has led to the restoration of cordiality between two valuable servants of the State.

I have the honor, SIR, to be,

Lieut. Colonel BURR,
&c. &c. &c.

your very obedient,
and humble servant,
(Signed) HASTINGS.

*Private.***Madras, July 28th, 1818.*

SIR,

I beg to acknowledge the receipt of your Letter of the 27th ultimo, from Surat, accompanied by the copy of one addressed by you to the Marquis of Hastings. They were transmitted to me the moment they were received by Lieut. Colonel ———. I entreat you, Sir, to believe the real sincerity of every expression of acknowledgements and applause contained in the General Orders I had the gratification of publishing to the army under my command, in testimony of my admiration of the zeal and determined intrepidity so nobly displayed by you, and the handful of gallant troops you had the pride of leading on the 5th of November last, against the powerful and overwhelming force of the then Paishwa, who having ventured to attack you, was completely defeated, and obliged to retire. Much of your glorious success on the memorable occasion in question, cannot likewise fail to be attributed to your cool judgment and ability,

* This Letter is peculiarly interesting to me, as his Excellency had, previous thereto, traversed the country generally, and personally visited and inspected the particular positions in and about Poonah, to which reference is made in the different parts of my Statement and Appeal to the Most Noble the Governor General. He had also not only received all the calumnious and ungenerous reports made by General Smith regarding me, but had had an opportunity of seeing him personally, when I have little reason to doubt, as large a portion of blame was endeavoured to be attached to my conduct, as the Brig. General thought likely to be credited.

an impression which no circumstance has, and I trust never possibly can occur to remove—or to diminish in my mind.

I have the honor to remain, with great esteem,

SIR,

your most obedient and very humble servant,

Lieut. Colonel BURR,

&c. &c. &c. Surat.

(Signed) J. HISLOP.

(True Copies)

C. B. BURR,
Lieut. Colonel.

SIR,

Head-quarters, Surat, 1st December, 1818.

I AM directed by Major General Laurence to transmit for your information, the annexed Copy of a Letter to his address, from the Adjutant General of the Army, dated the 26th ultimo, and of its accompaniment, intimating that the Most Noble the Commander in Chief in India will communicate to you his Excellency's sentiments on the subject of your Representation therein adverted to.

I have the honor to be,

SIR,

your most obedient servant,

To Lieut. Colonel C. B. BURR,
Commanding South. Div. of Guzerat.
Surat.

(Signed) J. W. AITCHISON.
Prov. Major of Brigade.

No. 936.

SIR,

Bombay, 26th November, 1818.

I AM directed by His Excellency the Commander in Chief to transmit to you the enclosed copy of a letter from Mr. Secretary Farish to his address, advising that Lieut. Colonel Burr's Representation had been received by his Excellency the Most Noble the Governor General in Council, and that the case had been referred to the decision of the Most Noble the Commander in Chief; whose sentiments will be duly communicated to the parties concerned; and to request that you will make the necessary communication to Lieut. Colonel Burr, for his information.

I have the honor to be,

To Major General H. P. Laurence,
commanding. Province of Guzerat,
Surat.

&c. &c. &c.

(Signed) D. LEIGHTON,
Adj't. General of the Army.

Military Department.

To His Excellency Lieut-General Sir MILES NIGHTINGALL,
K. C. B. Commander in Chief.

SIR,

I AM directed to acquaint your Excellency, that his Excellency the Most Noble the Governor General in Council, considering the subject of Lieut. Colonel Burr's Representation, forwarded with your Letter of the 28th of July last, to involve a

question which is purely military, has referred the case to the decision of the Most Noble the Commander in Chief, whose sentiments will be duly communicated to the parties concerned.

I have the honor to be,

&c. &c. &c.

*Bombay Castle,
23d November, 1818.*

(Signed)

J. FARISH.

Secretary to Government.

(True Copy)

(Signed)

D. LEIGHTON.

Adjt. General of the Army.

(True Copies)

(Signed)

J. W. AITCHISON.

Prov. Major of Brigade.

To the Provincial Major of Brigade to the Troops serving in
Guzerat, Bombay.

SIR,

I beg leave to forward, through the General Officer commanding the Province, the enclosures, which I am anxious should be forwarded to his Excellency the Commander in Chief, with as little delay as possible.

I have the honor to be,

SIR,

your most obedient servant,

(Signed)

C. B. BURR,

Lieut. Colonel.

Surat, December, 1818.

To His Excellency Lieut. General Sir MILES NIGHTINGALL,
K.C.B. Commander in Chief, &c. &c. &c. Bombay.

SIR,

The Enclosure,—being the Copy of an Autograph Letter, which his Excellency the Most Noble the Marquis of Hastings has done me the honor of addressing me, under date the 13th of October, in answer to the Appeal I had the honor of submitting to that exalted authority, through your Excellency, in June last,—reached me on the 16th ultimo, since which I have also been favored, on the 1st instant, with a communication of the Most Noble Marquis's Public Reply, transmitted to the Government of Bombay, as communicated by the Secretary of Government to your Excellency, on the 23d ultimo, and forwarded for my information by the Adjutant General, on the 26th.

Under these circumstances, I should not have been so long in submitting for your Excellency's, and the Right Honorable the Governor's information, the enclosed Document, had I not been anxious to afford Brigadier General Smith an opportunity of making me the *amende honorable*, which might have urged me to wave troubling my Superiors any further on this subject. More than a month being elapsed, since my receipt of his Excellency the Governor General's Letter, without any communication from my late Commander; I am naturally led to conclude, he does not intend adopting the Most Noble Marquis's recommendation. Thus situated, *and having unfortunately been omitted*

in both the General Orders, which his Excellency has published in his Review of the conduct of the different Officers who have held particular commands, or had the good fortune to distinguish themselves during the late War, I trust your Excellencies will recognise the justice and propriety of my most respectfully submitting this, to me, invaluable Document, and flattering testimony of his Lordship's approbation and favorable opinion, for your Excellency's consideration, and admission on the Records of the Government of this Presidency. Your Excellencies will, I moreover hope, pardon the feeling that suggests the necessity, in justice to my character and feelings, of submitting the whole of these Papers for the consideration of our Honorable Employers, to afford them an opportunity, not only of being acquainted with the circumstances that immediately led to my resignation of the highly honorable, and distinguished command, it was my peculiar good fortune to hold in the Deccan, at the commencement of hostilities, but also to put them in possession of the opinion of the most exalted and experienced professional and public character in this country, on the merits of my case, whereby it will doubtless appear to their Honorable Court, that I have unfortunately, and unjustly, suffered, under circumstances peculiarly distressing and humiliating, at a moment I might have reasonably expected to have experienced a different fortune,—the severity of which has alone been mitigated, by the proud consciousness of the prudence and propriety of my conduct, in the discharge of, at that time, one of the most anxious, interesting, and important commands in India, together with the

gracious and flattering reception, and consolatory assurances I have since had the honor of experiencing from your Excellencies, as well as every other noble and exalted authority, to whom my Appeal has been subsequently submitted. Hence I trust your Excellency and the Right Honorable the Governor, will graciously accede to my present request, permitting me to forward Duplicates of my late Appeal, for transmission to the Honorable the Court of Directors, to whom, should the Right Honorable the Governor vouchsafe to permit the Copy at present in the Secretary's office to be forwarded, with the enclosed Document, by the ships under despatch, not a moment shall be lost on my part in replacing it, and accompanying it with an additional Copy for transmission to Europe.

I have the honor to be, with great respect,
your Excellency's

most obedient humble servant,

(Signed) C. B. BURR,
Lieut. Colonel.

To His Excellency the Right Honorable Sir EVAN NEPEAN,
Bart. Governor in Council, &c. &c. &c. Bombay.

RIGHT HONORABLE SIR,

IT would be difficult for me to convey to your Excellency an adequate idea of the feelings with which I am impressed in submitting, for your information,—with a request that it may be honored with a place on the Records of our Government,—the accompanying gracious, and highly consolatory and flattering copy of an autograph testimony of the approbation of our most exalted Superior, in conveying his sentiments on the subject of the Appeal, I had the honor of making him, through his Excellency the Commander in Chief, and your Honorable Board, in June last; whereby I have the gratifying reflection of receiving an ample exoneration and justification of the ruthless and humiliating allegations and reflections laid to my charge by my late Commander, who having, notwithstanding, failed to avail himself of the recommendation of our exalted Superior, has rendered it a duty I owe to myself, to submit my present application, which, for the reasons I have detailed in my Letter of this date to his Excellency the Commander in Chief, I trust your Excellency will see the propriety of the wish I have therein expressed, of submitting the whole of the circumstances, and Papers illustrative of my case, for the information of the Honorable the Court of Directors; to admit of their being acquainted with

the circumstances and events, which decided me in the adoption of a measure, which nothing but the humiliating and embarrassing predicament in which I was placed, could—your Excellency's knowledge of my professional feelings and character, will, I feel conscious, do me the justice to admit,—have urged me to adopt.

I have the honor to be, with the greatest respect,

Your Excellency's,

most obedient humble servant,

(Signed) C. B. BURR,

Lieut. Colonel.

No. 9.

SIR,

Bombay, 6th January, 1818.

I am directed by the Commander in Chief to transmit to you the accompanying copy of a letter from the Chief Secretary to Government, for your information, and to request you will have the goodness to comply with the latter part of the second paragraph.

I have the honor to be,

SIR,

your most obedient servant,

(Signed) D. LEIGHTON.

To Lieut. Col. C. B. BURR,

&c. &c. &c.

Adjt. General of the Army.

Military Department.

To His Excellency Lieut. General Sir MILES NIGHTINGALL,
K. C. B. Commander in Chief.

SIR,

I AM directed to acknowledge the receipt of Your Excellency's Letter of the 28th ultimo, and to acquaint you that the Right Honorable the Governor in Council cannot have the least objection to a compliance with Lieut. Colonel Burr's request to transmit the whole of the proceedings relative to the treatment he had experienced, while serving under the immediate command of Brig. General Lionel Smith, C. B. to the Honorable Court of Directors.

2d. The copy of his Address to the Supreme Government in the Secretary's Office, will, agreeably to his request, be transmitted, and the Lieut. Colonel is to furnish another copy thereof, with duplicate copy of the Letter from the Most Noble the Marquis of Hastings.

I have, &c. &c.

(Signed) F. WARDEN,
Chief Secretary.

Bombay Castle, 4th January, 1819.

(True Copy) D. LEIGHTON,
Adjt. Gen. of the Army.

Extract of a Letter to the Honorable the Court of Directors in the Military Department, dated the 7th January, 1819.

Para. 15th. In our Despatch of the 12th September last we had the honor of bringing to the notice of Your Honorable Court the distinguished services of Lieut. Colonel Burr, who had been left in the command of the Poonah Brigade on the breaking out of the late war ; that officer, in consequence of the treatment he had received, while serving under the immediate command of Brigadier General Smith, having deemed it necessary to appeal to the Most Noble the Governor General in Council ; the Supreme Government considering the subject to be purely military, transferred the proceedings to the Commander in Chief, and His Lordship's sentiments thereupon have accordingly been communicated to those Officers respectively.

16th. The Letter of His Lordship to Lieut. Colonel Burr, leading him to expect a communication from Brig. General Smith, which might remove the grounds for the mortification he had felt from the Brig. General's conduct towards him, not having been received, the Lieut. Colonel considered it due to himself, to transmit to us, for the information of Your Honorable Court, a Copy of a Letter he has received from His Lordship, which we have the honor to enclose, accompanied by the Appeal of Lieut. Colonel Burr, and Brig. General Smith's Vindication of his conduct to the Supreme Government.

17th. It must be altogether unnecessary for us to add any

expression of our own to the favorable opinion entertained by His Lordship of the services and conduct of Lieut. Colonel Burr.

(A true Extract)

(Signed) J. FARISH,

Secretary to Government.

(True Copies)

C. B. BURR,

Lieut. Colonel.

CONCLUSION.

I SHALL here close this prolix trespass on the patience and attention of my friends by a brief remark, though it may possibly have already occurred to the reader, namely, that so far from the requisition for the services of the 2d-1st regiment having proved injurious to the public interests, or been attended with any disastrous results beyond what was naturally to have been expected, as a professional result,* from the very nature of the circumstances which occasioned their being called for, that it was actually attended with the most beneficial effects, far beyond any thing my most sanguine hopes could possibly have anticipated or expected; as that corps, single handed and unsupported, had the glory of arresting the progress of the Paishwa's army, till it could no longer carry its merciless and destructive projects against its capital and my position into execution, which was as much as could have been reasonably anticipated from

* Had the enemy attacked the city and my position, as was expected, I have little doubt that every corps under my command would have sustained a loss little inferior, if not equal to that of the 2d-1st at Corygaum, which by this means drew off the enemy from their meditated attack, and alone bore what we all expected to have largely participated in.

its most efficient co-operation with the other corps of the brigade under my command, and the conjoint efforts of their valour ; though I certainly indulged the hope that their arrival might not only enable me to maintain the position and city, the defence of which was entrusted to me, but moreover carry into effect Brig. General Smith's ultimate orders, conveyed to me in his confidential instructions of the 23d of December.

C. B. BURR,

Lieut. Colonel.

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